

To : SAC, SAN FRANCISCO

Date 3/10/87

From : LEGAL SECTION (190-1549)

Subject : FREEDOM OF INFORMATION - PRIVACY ACTS (FOIPA)
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FILE - SERIAL

44C-2178 (entire file)

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Thousands march in memory of Moscone, Milk

By Don Lattin
Examiner staff writer

Several thousand peaceful demonstrators marched from Castro Street to City Hall last night in a candlelight vigil to mark the fifth anniversary of the assassinations of San Francisco Mayor George Moscone and Supervisor Harvey Milk.

Police, who kept a visible presence along the parade route and during a rally at the Civic Center, had feared violence would erupt because of last week's decision by the U.S. Justice Department not to prosecute former supervisor and convicted assassin Dan White on federal civil rights charges.

"There is a day coming when we will turn ourselves to the killer," rally organizer Cleve Jones told the crowd that day. "There will be no business as

usual in San Francisco."

That's the day White is scheduled to be released from Soledad prison after serving five years and 40 days for killing Milk and Moscone.

The light sentence — which came after White's attorney successfully argued that the ex-supervisor acted with "diminished capacity" caused by political maneuvering, financial pressure and a junk food diet — sparked the May 1979 "White Night" riot that left 100 people injured and caused \$1 million in property damage.

Jones called on San Franciscans to stay home from work Jan. 6. If that is impossible, he urged them to stop whatever they are doing at 1 p.m. for 15 minutes. Motorist should stop their cars, he said; office workers should leave their offices and apartment dwellers should stick their heads out the window and "express their feelings."

Hundreds of the marchers were doing just that last night as they chanted, "He Got Away With Murder" and "Off White" when they turned off Market Street and headed up Polk Street for the rally outside City Hall.

"The murder of George Moscone and Harvey Milk was a political act," said Supervisor Harry Britt, a homosexual who replaced Milk on the board of supervisors. "The federal government couldn't see it, but we see it. What are we going to do about it?"

Britt tried to calm down those in the crowd who answered his question by chanting choruses of "Off White." Britt told them it was not the kind of reaction

(Indicate page, name of newspaper, city and state.)

Date: 11-28-83

Edition: Final

B7 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

Milk would have wanted.

Former Moscone aide Corey Busch echoed those sentiments, saying, "There is not room in George Moscone's memory for hatred and vengeance."

Gina Moscone, the late mayor's widow, and two of her children stood quietly next to former Rep. John Burton during the ceremony, but did not speak.

Police estimated the crowd at 3,000 marchers.

The Rev. Cecil Williams of Glide Memorial Church issued a challenge to every minister, priest and rabbi in this city to put down the old theology because, no matter what they say about gay men and lesbian women being evil and sinful, we know better than that. It's time for the religious community to get turned on to love.

SEARCHED	INDEXED
SERIALIZED	FILED
1 JAN 3 - 1984	
FBI - SAN FRANCISCO	

441-2178-013/003

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: 11-28-83
 Edition: 6 Star
 1 S.F. Chronicle
 San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

Anniversary Of Moscone, Milk Slayings

By Randy Shiltz
 and Stephen Magagnoli

A solemn crowd of several thousand candle-bearing demonstrators marched down Market Street from Castro Street to City Hall last night to commemorate the fifth anniversary of the assassinations of Mayor George Moscone and Supervisor Harvey Milk.

Although the march was peaceful, the anniversary was tinged with bitterness and anger at the imminent release of Dan White.

The march — which drew a crowd estimated at 5000 — attracted in equal numbers veteran gay and lesbian activists and newcomers eager to join what has become an annual ritual.

One of those was James Wright, who was just out of high school in Abilene, Texas, on the day of the killings.

"They were part of a dream that is still very important," said Wright, 23, a furniture mover.

"It's something I missed being involved in then," he said. "But every bit of history influences the present. By being here, I hope to influence the future."

A diverse crowd echoed similar sentiments.

"I'm celebrating part of our history," said Howard Cohen, an employment counselor who was living in Pennsylvania at the time of the assassinations.

"This was something that has come to mean a lot to gay people everywhere," said Cohen, walking with three friends who also had moved to San Francisco since the

killings. "It's something we never want to be forgotten."

A few blocks down, Lupita Kashiwahara had a different perspective on the San Francisco political killings of 1978, one tempered by the assassination of her brother, Philippines opposition leader Benigno Aquino, in Manila this year.

"Harvey Milk and Benigno were both trying to affect change within the democratic process by their work," said Kashiwahara, who was joined by about 100 other Filipinos who had attended a memorial for Aquino in the Castro last night.

"The irony is that they were men of peace and they had to die such violent deaths," she said sadly.

Demonstrators were still leaving Harvey Milk Plaza in the Castro as the first marchers streamed into Civic Center, a mile away. Although the walk had been quiet, hundreds shouted invectives against Dan White as they neared City Hall.

"He got away with murder," many shouted.

"Off White, off White," others screamed.

The demonstrators — some from as far away as Colorado — clumped around a platform at the

entrance to City Hall to hear more than a dozen speakers pay homage to Moscone, Milk and Aquino.

Cleve Jones, a former aide to Milk and a parade organizer, kicked off the rally at City Hall by assuring the throng, "No coward's bullets will stop us!"

John Laird, the newly elected gay mayor of Santa Cruz, said that Milk had served as his model, and after his death, Laird had resolved, "Nothing was going to stop me from being exactly what I wanted to be."

Carole Migden, president of the Harvey Milk Gay Democratic Club, reminded the crowd that Milk "taught us how to fight, how to wield political influence — but never at the expense of our gayness. We should never have to pass. We

should never assure society we're the same because we're NOT the same."

Last night's turnout was at least in part a reaction to the U.S. Justice Department's decision last week not to prosecute White on federal charges that he violated the rights of Moscone and Milk by killing them.

John Belkus, a 34-year-old clerk for the telephone company, said he was marching "to show there's determined opposition to the policies of the Reagan administration's refusal to prosecute (White). It has made no commitment to human rights whatsoever."

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FBI - SAN FRANCISCO	

440-2178-44

Donald Montwill was one of several people passing out flyers last night calling for a day of protests January 6 when White is released.

"Candlelight marches are nice but we need something more cathartic," said Montwill. "We still need to send a message to the people in power about the injustice of Dan White getting out of jail. We're not planning a quiet memorial."

Jones added, "It is clear there must be no business as usual in San Francisco" when White is released, and called for an outpouring of feeling between 1 and 1:15 p.m. on Friday, January 6.

Despite the prevailing mood of anger, frustration and shock over White's impending release, several in the crowd chose a more optimistic, hopeful view.

Alex Peer, a 35-year-old clinical

psychologist who was at the first candlelight vigil in November 1978, said that this year he was "a little calmer, a little more determined. I think it is important in a public way to demonstrate your commitment to a better society for all people, not just gay people."

And, Peer added, the demonstration served to prevent, rather than encourage more violence. "If there weren't some sort of publicly acceptable way to express the gay community's need for attention and respect, it would erupt in violence. I think the night of the riot (after the White verdict was announced), the gay community felt just absolutely raped."

Other than an egg that was tossed out of a Market Street window at the marchers, there was no tension or violence last night, police said.

Riot police were on duty during the march and City Hall rally,

but they stayed out of sight and were never needed during the peaceful vigil.

When the speakers finally finished at 9:20 p.m., hundreds of demonstrators left their candles flickering on a bronze statue of Abraham Lincoln at the left corner of City Hall, turning it into a makeshift altar.



By Vincent Maggiora

Corey Boscini (left), an aide to George Moscone, Gina Moscone, the mayor's widow, and gay attorney Tom Horn also marched.

Thousands March in S.F.

Harvey Milk
Democratic Club

The crowd marched peacefully down Market Street from Castro to the City Hall rally.

By Vincent Maggiora

(Mount Clipping in Space Below)



Dan White again

Dan White will leave prison Jan. 6 with a general feeling in San Francisco that justice was not done.

To most of us the verdict at his trial was incomprehensible. No way was manslaughter the right word for what he did. No way should he go free just five years after killing Mayor George Moscone and Supervisor Harvey Milk.

And yet, I'm obliged to say that I welcomed with relief the federal decision not to try him again. That avoids another injustice.

In our hearts we all know the request for federal prosecution was a ruse, an attempt to stretch the civil rights law to make up for the failure of our state criminal court system.

That might have satisfied a thirst for vengeance. But it would have planted a seed of growing shame in every mind that truly loves justice.

White didn't kill Moscone and Milk to prevent them from spending federal money or to prevent their re-election or to prevent them from passing laws he didn't like.

Those were consequences of his crime, but they weren't the motives for it. They were specious reasons put forward in an attempt to trigger the civil rights law and bring him back for a second trial. Had federal authorities gone along, that would have been double jeopardy in disguise.

Assistant Attorney General Stephen Trott put his finger on the weakness in that ruse when he pointed out that if Moscone had give White his job back, no one would have been shot. In his words:

The killings were precipitated by White's anger over the mayor's failure to appoint him to the Board of Supervisors, and if a decision had been made to support White (for supervisor) the killings would not have occurred.

That was the crux of the affair. White killed Moscone for welsing on his promise to give him his job back, and he killed Milk for urging the mayor to take that course.

The killings grew out of politics, but they weren't political killings in the accepted sense of that term. White didn't shoot down his adversaries to prevent them from pursuing public policies he disliked. He

killed them because he felt they had done him a personal wrong.

When he came to trial our criminal justice system fell on its face, and the result is hard to accept. But this isn't the first time a killer got off easy. All too often I've seen people go scott free whose hearts, I felt, certain were blacker than Dan White's. For our own civic health, we need to put this tragedy behind us.

There is another aspect of this case that should be considered someday. White's troubles began when he had to give up his job as a city fireman in order to accept his low-pay post as a supervisor. He soon found himself with a wife and new baby to support on his supervisorial pittance. Caught in a financial squeeze, he resigned, then tried to reclaim his office, and the rest is tragic history.

Through it all I had a recurring thought. What if the law had allowed him to continue as a fireman while serving as a supervisor, simply abstaining from voting on issues affecting the Fire Department? We have near precedents for that — for example, lawyer-legislators who plead cases for clients before public commissions. A fireman-supervisor would present a much simpler conflict of interest to control.

We have since raised the pay of supervisors, although not enough to persuade top-flight people to give up everything else in order to serve. Most don't have to. Only public employees.

(Indicate page, name of newspaper, city and state.)

Date: 11-30-83

Edition: Final

B3 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 6 - 1984	
FBI - SAN FRANCISCO	

44C-2178-145

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

State Changes Attitude on White's Parole

By Susan Sward

State prison officials clearly becoming more concerned about the notoriety surrounding Dan White's pending parole, took a more secretive and cautious approach yesterday to how they will handle his release and his one year under supervision.

In an apparent shift in policy, officials announced that although they prefer White to serve his parole in California, they will consider carefully any request he might make to be sent to another state. White will be released January 6.

The prison authorities may be concluding that White would be in a perilous spot anywhere in California and that he would fare better far from the state where his crime — the killing of San Francisco Mayor George Moscone and Supervisor Harvey Milk — occurred five years ago.

There still is a possibility he will submit a plan suggesting an out-of-state placement, said state Deputy Prison Director Phil Guthrie, adding such a proposal would be given thorough consideration.

But he said authorities would not likely approve a request from White to be placed in a different country.

Guthrie declined to confirm or deny whether the state Department of Corrections has received any word from White's lawyer, Doug Schmidt, that such an out-of-state proposal may be offered soon.

Schmidt, who has a policy of not talking to reporters about the case, was unavailable for comment yesterday.

In a second development, underscoring the department's growing concern about the security problems posed by White's case, officials said for the first time that they probably will not divulge details about how White will be released.

"It will probably work out that we won't pinpoint any detail of how he will go out," Guthrie said. When asked what had fueled the department's more pronounced concern about White's safety, he added: "The parole date is approaching and it makes all the issues in the case more imminent."

"We don't have any death threats or anything like that. We just have what we think is reasonable speculation when you consider the nature of the crime and the reaction to it."

Earlier, authorities had said they might make some statement about how White, who is at Soledad state prison, might be released. They also had denied there was any plan to move White quietly to another prison before his release.

If White were to make a request to settle outside California and authorities found it acceptable, they would have to ask the state of White's choice to approve his location there.

"If they don't accept, we can't send him," said Guthrie. "I suppose some states would not want to accept him because of the notoriety of the case."

If no new proposal is offered by White, the state's current plan calls for his spending one year on parole at some undisclosed site in California, Guthrie said.

That plan was drawn up in detail by state parole officials after they rejected, for undisclosed reasons, a plan White submitted that also specified parole in California. On Thursday, Guthrie mistakenly said White submitted the second plan, also.

"Everything (in the state's proposal) is in there about the location where he would live and what he'd do with respect to a job," he added.

In most cases, the department is required by law to send the inmate back to the county that sent him to state prison in the first place. In unusual cases, such as those involving informers or well-known inmates, the department permits the inmate to draw up his own parole proposal and may rely on it heavily when evaluating where to place the inmate in the state. If the proposal is judged to be unacceptable, however, the department draws up its own plan.

In White's case, in fact, it was only when the state found his first proposal unacceptable that state parole specialists began to draft their own ideas of where he should live.

When White is released January 6 — a date set firmly under the laws on prison sentencing — he will have served more than five years behind bars. After his year on parole, he will be free to do what he chooses with his life.

Date: 12-3-83
Edition: 5 Star
1 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	SERIALIZED
JAN 10 1984	
FBI - S.F.	

44C-2778-416

FBI

(Mount Clipping in Space Below)

Dan White's Parole Plan — A Life in California

State Approval Expected

By Susan Sward

Dan White has come up with a parole plan for living and working in California — not out of state — that probably will be approved by prison authorities, it was disclosed yesterday.

The plan submitted by the 37-year-old killer of San Francisco Mayor George Moscone and Supervisor Harvey Milk was the first inkling of how White plans to spend his year on parole after he gets out of prison on January 6.

At one point, White had expressed interest in living in Ireland and subsequently there was speculation that he would be placed in another state because of fear of retaliation in his home state.

White's proposal "looks like it is pretty good," said Phil Guthrie, deputy director of state prisons. His first proposal was rejected on undisclosed grounds.

Guthrie said the latest plan is reasonable. For all practical purposes, it looks like it'll be approved.

Guthrie declined to reveal where White will live or work in the state, but conceded that he did not think White's whereabouts could be kept secret for long.

He said that White, who is now at Soledad Prison, "did not ask to go out of the country and he did not ask to go out of the state" when he submitted the proposal to the Department of Corrections, which must approve all inmates' parole plans.

White has mentioned in some letters from prison that he was interested in moving to Ireland to take up farming after completing his more than four years in state prison. But prison officials said it was unlikely that an out-of-state parole would be approved in White's controversial case because of the difficulty of supervising him.

They also said they would not approve any plan returning White to San Francisco because of the chance he would be killed here.

Guthrie said yesterday that about one month before White submitted the current plan, which the department is viewing favorably,

he offered another plan that was turned down.

In all the internal department debate over how to handle White's release, Guthrie said there has been no discussion about giving White a false identity or assumed name.

Although officials are well aware of the public fury directed at White in the wake of the slayings and at what many regarded as a too-lenient sentence, Guthrie said, "At this point, we're hoping he'll have a fairly stable parole" and won't need a false name in order to get by.

During White's year on parole, he will be required to check in periodically with his parole agent and, at the beginning, that could amount to daily contact. After that year, White will be free to do whatever he chooses.

Whatever the prison system decides on the details of White's release, the date for it will be January 6, which is firm under state law, Guthrie said. That date was calculated by taking into account White's seven-year, eight-month prison sentence and then subtracting credits for good behavior that White has earned while in prison.

It is not entirely clear whether White would be released from Soledad or be transferred to custody

(Indicate page, name of newspaper, city and state.)

Date: 12-2-83
Edition: 6 Star
1 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	SERIALIZED
JAN 9 1984	
FBI - S.F.	

44C-2178-47

After one year, White will be free to do whatever he chooses

elsewhere for release — a move that would avoid confrontation with anyone intent on harming White, or escape the media circus expected at Soledad's gate.

But Guthrie said, at this point, "We haven't conceived of any elaborate scheme to hide his whereabouts or to release him from some prison other than Soledad."

"We consider it public information to tell the public where a guy is doing time," Guthrie said.

It is also not known if White will be immediately joined on parole by his wife, Maryann, and his two small sons. Guthrie would only say, "I have heard some discussion of that, but we won't reveal what."

The state prison staff has never directly tackled the issue of whether White would be better off in an urban or rural area, Guthrie said.

"We have never sat down and said, 'Let's put him in a cow county or a metropolitan county,'" Guthrie said. "We never went through that because he submitted a plan that looked pretty good. There wasn't a need to go into a long debate about where he'd go, because the plan was satisfactory."

On other cases in the past, Guthrie said, he has heard two theories on the placement of well-known inmates. One is that a big city is better for such an inmate because there is more anonymity in a crowd. The other is that such an inmate is better off in a rural locale beyond the reach of the metropolitan media.

Police spokesmen in the state's two most populous counties — Los Angeles and San Diego — said yesterday they had not heard any word that White was being sent to their areas.

Lieutenant Dan Cooke, press relations officer for the Los Angeles Police Department for the last 20 years, suggested that an inmate such as White — accorded a

"celebrity status" by the media — might have an easier go of it in a small town.

In Los Angeles, which stretches from the desert to the ocean and encompasses more than 3 million people, there would be so many in the homosexual community who'd be looking for him, Cooke said. "There'd be more of an opportunity for him in a small town out in the boonies."

Jim Varonkafis, spokesman for the San Diego Police Department, took a different view. He said he thought White "could pretty well disappear in the crowd" in the city of more than 900,000 residents.

Up in the tiny Sierra County town of Downsville, nestled in a pine-covered valley along the Yuba River, Undersheriff David Marshall said if White "gave his true name and people knew who he was, I don't think he could make it in a small community."

Marshall said Sierra County, with its population of about 3000, is a conservative place.

"This county is like what it was 25, 30 years ago in the rest of the state, and they have a great deal of respect for law and order," Marshall said.

Wherever White goes, Guthrie predicted that one way or another, his whereabouts will leak out — either when a private citizen recognizes White or when someone in local law enforcement tips the local press.

"Given the nature of the case and what happened at the trial that makes him news," said Guthrie, a 20-year veteran in the prison system, "He is likely to be subjected to media attention which few people, if any, experience in a lifetime."

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(Indicate page, name of newspaper, city and state.)

Date: 12-8-83
 Edition: 6 Star
 3 S.F. Chronicle
 San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

San Diego County Might Get White

By Susan Sward

San Diego law enforcement authorities have been told by the state that their county is being considered as a parole location for Dan White when he is released on January 6, officials said yesterday.

"We have been contacted" by the state, said San Diego County Sheriff's Lieutenant Jerry Lipscomb. "They indicated to us that Dan White may possibly be relocated in San Diego County."

Howard Loy, the chief state parole official in San Diego, confirmed he had talked to San Diego County Undersheriff Richard Sandberg recently to tell him that San Diego was among the various areas being studied by state authorities.

But Howard Miller, the state deputy prisons director in charge of paroles, stressed that the state has made no final decision on where to place the 37-year-old killer of San Francisco Mayor George Moscone and Supervisor Harvey Milk.

Miller said, "I'm the decision maker on selecting the site for White's year-long parole, and I haven't made a final decision on where the man is going."

"I've got two pretty good plans and there's a potential third one," Miller said. He refused to comment on whether his staff had made calls to local authorities in other areas to try to determine how White would fare in those locations.

Last week Phil Guthrie, the state's deputy prison director, said authorities were considering one

parole proposal for White that "looked pretty good." He added, however, that the state would consider any new parole site proposal White might submit between now and his release.

Guthrie has said that if White, who is now at Soledad Prison, asked to be sent out of the country, he probably would be turned down.

But yesterday, with less than a month left before White's parole and with media attention mounting on the case, Guthrie declined to comment any more on details of the case.

"We're going to clam up," he said. "I don't think we'll have anything more to say until after he gets out. After he's released, we may make some generalized statement about what he's doing as a parolee. But we won't pinpoint anything about the location of his parole."

In San Diego, Loy said that when he spoke with Undersheriff Sandberg, the two discussed "various factors — how the community would react to Dan White and how Dan White would react to the community" to which he might be sent.

Loy said he did not mention a city in which White might live or what type of work he would do while on parole.

"My understanding is that they're looking at a number of places," said Loy. "I think the chances of him coming here are slim. There's all of California, and San Diego is just one little part."

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 13 1984	

44C-2178-486

(Mount Clipping in Space Below)

State seeks a home for Dan White

By Pamela Abouzeid
The Tribune

SAN FRANCISCO — State parole officers have contacted authorities in San Diego County about possibly sending convicted assassin Dan White there when he gets out of prison Jan. 6.

Of 46 county sheriffs reached by The Tribune, only San Diego Sheriff John Duffy said he had been contacted by state parole officers.

"As far as we are concerned, it would make no difference whatsoever if Mr. White came here," Undersheriff Richard Sandberg said. "I don't anticipate taking any unusual measures at all."

Sandberg said a parole officer telephoned three weeks ago to say White, the convicted killer of San Francisco Mayor George Moscone and Supervisor Harvey Milk, might be sent to his jurisdiction.

"He (Mr. Loy) said Mr. White would probably be residing in Southern California and perhaps in the San Diego area," Sandberg said. "If that is a reality now, though, I don't know."

The parole officer, Howard Loy, said Tuesday he did not know "for sure yet" if White will be sent to San Diego County and referred further calls to his superiors in Sacramento.

Sandberg said that when Loy called, he did not indicate what town White might live in or

what work he might do.

The Sheriff's Department, however, is in charge of covering only the unincorporated areas of the county, thus ruling out the possibility that White might be sent to the city of San Diego, which has its own police force.

Since the U.S. Justice Department decided against bringing federal charges

against White for the 1978 murders — making it clear he will get out of prison on schedule — speculation has increased about where White will go.

Mayor Dianne Feinstein has said publicly that White, a former supervisor, is not welcome in this city. Because of the notoriety of his crimes and the emotions that still run high, the state Department of Corrections has said that White would not be safe in the Bay Area.

Phil Guthrie, corrections department spokesman, said last week the department had decided where White will live when released from the Soledad Correctional Training Facility. And he said officials in the community had shown no adverse reaction to the plan.

But Howard Miller, the deputy director of parole, said Tuesday it was untrue.

"This is all very interesting because I am the one to make the final decision and I haven't made up my mind yet," Miller said. "I have several potential plans, as many as two or three and maybe even a couple more."

"I don't know what San Diego is talking about," Miller said.

When inmates are released from prison, they usually are required by law to return to the county of commitment. Law

enforcement agencies in that county are alerted. In exceptional cases, inmates can be sent to another jurisdiction but parole officers usually check first with the police agency there to assure there would be no problems.

Sheriffs in thinly populated counties like Colusa, Sierra or Lassen said it would be nearly impossible for White to be sent there because his presence could not be easily concealed.

"We've got our own problems, we don't need any more," said Madera County Sheriff Ovonual Berkley.

San Diego County, which spans 4,000 square miles from

the coast to the desert and boasts a large military presence, has enough medium-sized towns and conservative attitudes to allow White comfortably into its folds.

Speculation about White's future home has included scenarios of his being tucked away in one of the dozens of cities in Los Angeles County or in the city of Los Angeles itself. But the police agencies for those areas are too large and too many to be able to pinpoint such possibilities.

When White is released, he will have served about five years of his 7½-year sentence, with time off for good behavior. He will be on parole for a year, and required to check in periodically — possibly daily — with his parole officer.

White submitted his own plan last summer for his future but the corrections department rejected it and began formulating its own about a month ago. Guthrie would not say why White's original plan was rejected, only that he had requested he remain in California.

(Indicate page, name of newspaper, city and state.)

Date: 12-7-83
Edition: Morning
1 The Tribune
Oakland, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	SERIALIZED
JAN 12 1984	
FBI - [illegible]	

44C-2178-49

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Date: 12-23-83
 Edition: 6 Star
 4 S.F. Chronicle
 San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

Already Troubled Richmond Wouldn't Welcome Dan White

Richmond has become the third community after San Diego and San Francisco to proclaim that it doesn't want Dan White living within its boundaries when he is released from prison January 6.

At a Richmond City Council meeting this week, the council members agreed unanimously during a discussion — without a formal vote — that none of them wanted the 37-year-old former San Francisco supervisor to live in Richmond while on parole.

"Keep going, wherever he's going," said George Livingston, the council member who first proposed at Tuesday's council meeting that Richmond go on record on the issue.

James McMillan, another council member, said yesterday that Richmond — a city with about a 60 percent minority population that has been plagued with high unemployment and police brutality lawsuits in recent times — already has enough image problems without having White turn up as a resident.

"He seems to have a penchant for killing elected officials; he doesn't agree with," McMillan said. "I am concerned not only for the elected officials' safety but for the citizenry. We've had police problems in Richmond, and we don't need anything that exacerbates our problems."

Asked why Richmond might be a desirable place to White, McMillan said the city is only about 20 minutes from White's hometown, San Francisco, where Mayor Dianne Feinstein has said she doesn't want him to live. State prison officials have also said they would not permit White to return to San Francisco out of fear for his safety.

McMillan also said there are several new housing developments in Richmond that are attractive and might be a draw for White as he considers where he wants to move.

Livingston said there was an unreported "good side of Richmond — some of the most beautiful homes, interesting professional people."

The Richmond City Council's position prompted a derisive reaction in some quarters.

One San Francisco politician, who asked not to be named, asserted

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JAN 31 1984	
FBI — SAN FRANCISCO	

44C-2178-50

when he heard of the council's stand against White, Guthrie said: "That's a laugh. What would White have over there, you know what I mean?"

"It's heavy minority" and White wouldn't be comfortable in such a community, the politician added. "I don't think he'd be comfortable any place, but he'd be a lot less comfortable in Richmond than he would be in some other places."

State prison official Phil Guthrie declined yesterday, as he has in the past, to comment on where the

'He seems to have a penchant for killing elected officials he doesn't agree with'

convicted killer of San Francisco Mayor George Moscone and Supervisor Harvey Milk will serve his year of state-supervised parole.

Guthrie would say only that on January 6 — 14 days from now — White, who is now being held at Soledad State Prison, will be released from state custody after serving more than five years for the killings at City Hall.

State authorities have declined in recent weeks to say whether White will spend his parole within California or in another state. After his parole, the state will no longer have authority over White.

Guthrie said when a community goes on record opposing an inmate's parole in that area, "it's something that we consider." But he said such a declaration wouldn't necessarily stop the state from sending an inmate to an area.

As state officials in Sacramento remained silent on the White case, authorities at Soledad prison in Monterey County said White and the other 160 inmates in his prison unit will get a holiday dinner on Christmas.

The meal for the inmates in the prison protective custody units mess hall will be served between 5 p.m. and 6 p.m., said prison official Ruth Zimmer.

The menu lists a "savory baked half chicken," mixed fruit salad, cranberry dressing, giblet gravy, dressing, Southern candied yam, garden fresh peas, hot dinner rolls, whipped honey butter, pumpkin pie with topping, ice cream, fruitcake, hot cocoa or coffee.

Younger said that a Christmas party was held earlier in the week in the unit where White is housed.

Younger said she did not know if White's wife and two young sons plan to visit him on Christmas. Throughout his stay at the prison, White's wife, Maryann, has visited him regularly.

As White prepares to spend the last Christmas of his prison term behind bars, his impending release continues to whip up great interest and reaction statewide.

San Diego is the other town that recently went on record opposing White's parole there after local law enforcement authorities confirmed they had been contacted by state parole officers who said the area was one of several they were considering for White's home and work site while on parole.

"There are more safe places for him, I'm sure," said Brad Truax, head of the San Diego Democratic Club, a gay political group, when the news broke that White might be paroled there. "Maybe a town in the Central Valley," Truax suggested.

Lieutenant Tom Hall of the San Diego Police Department said he feels no community "wants a parolee to live in it. It's like everyone wants a new airport, but where? Not in my neighborhood."

"Well, from their perspective, they're right. And from the parolee's perspective, he's right. He wants to go somewhere and establish a new life for himself," Hall said.

(Mount Clipping in Space Below)

San Diego wants none of Dan White

SAN DIEGO (AP) — Mayor Roger Hedgecock has written a letter to the state Department of Corrections asking that San Diego be withdrawn as a possible parole site for Dan White, convicted in the slayings of San Francisco Mayor Moscone and Supervisor Harvey Milk. Hedgecock also said any major metropolitan area would be unsuitable as a parole site for White.

Recent news reports that Mr. White may be placed in our community have caused considerable negative comment from groups who strongly support human rights and from individuals who have written us very threatening letters," Hedgecock said in the letter, made public yesterday.

The letter, which was also signed by Deputy Mayor Mike Gotch, comes after protests by the local gay community over the possible parole of White to San Diego.

Hedgecock said his letter was also prompted by threatening letters directed against San Diego's gay community that were mailed to his office. In addition, he said, his office received a

substantial amount of letters in opposition to White's parole.

"It is a situation creating serious division in the community," Hedgecock said. "The responsibility I have is to minimize these kinds of divisions, and the paroling of Dan White in San Diego would exacerbate these hatreds."

White was convicted of voluntary manslaughter in the 1978 killings of Moscone and Milk. The City's gay leader, [unclear], said

White was sentenced to a term of seven years and eight months, but is scheduled to be paroled from Soledad Prison early next month.

San Diego was named recently as one of the sites in California under consideration by the state Parole Board as a place for White to live upon release.

White had resigned as supervisor, then decided he wanted the job back. Moscone declined to reappoint White. On Nov. 27, 1978, the day Moscone was to name White's successor, White shot the mayor in his office. Moments later, he shot Milk to death.

(Indicate page, name of newspaper, city and state.)

Date: 12-16-83
Edition: Final
A20 S.F. Examiner
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 25 1984	
FBI — SAN FRANCISCO	

44C - 8178-51

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: 12-10-83
 Edition: Sat.
 A-12 The Tribune
 Oakland, Ca.

Title:

Character:
 or
 Classification:
 Submitting Office: SF

Indexing:

San Diego gays report threats on Dan White's life

By The Tribune news services

Homosexuals in San Diego who are upset at the scheduled parole of Dan White, convicted killer of San Francisco Mayor George Moscone and homosexual Supervisor Harvey Milk, are now threatening his life, say some members of that city's homosexual community.

"The talk in the bars is that he's not going to live," said Larry Davis, editor of the weekly Gayzette newspaper in San Diego. "My feeling is that I've heard it enough times that there may be something to people saying they'll hunt him down to make a name for themselves (sic) in the community."

The Tribune in Oakland reported on Wednesday that San Diego County is one of several areas being considered for White's relocation when he is paroled from prison Jan. 6. He was convicted on Nov. 27, 1978 of voluntary manslaughter in the two deaths.

White had resigned from the San Francisco Board of Supervisors, then changed his mind, and became upset when Moscone refused to reappoint him to his elected post. Milk had supported Moscone's decision.

White said he was severely depressed at the time because of a diet of junk food.

The San Diego County Sheriff's Department was notified by the state Department of

Corrections that San Diego is under consideration as a relocation site for White while he is on parole.

Sheriff's spokesman Lt. Gerry Lipscomb said, "We're not concerned about his relocation and we haven't taken any effort to establish a security plan assuming Dan White does come to San Diego County." "We will treat him as we would any other resident of the county. If he has a life-threatening situation, we will respond and investigate."

"I can't see anybody organizing to conscientiously endanger his safety but there are more safe places for him, I'm sure. Maybe a small town in the Central Valley," said Dr. Brad Truax, head of the San Diego Democratic Club, a homosexual political organization.

However, Truax said that although "there's a lot of anger among San Diego gays" directed against White, "I don't think violence is on the horizon if he comes here."

"I don't think Dan White will be safe anywhere, particularly here. I'm just furious thinking about it," said Nicole Murray, a San Diego homosexual.

Phil Guthrie, spokesman for the California Department of Corrections, said he doubts that White's specific location will be made public. "We might say he's in Southern California, but that's about all," said Guthrie.

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44C-2178-52 FBI/DOJ

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Why we're just not through with Dan White yet

For some subtle, complicated reasons, Dan White may be turning into San Francisco's newest growth industry.

A play about White has just opened; a TV docudrama called "The People vs. Dan White" is headed for national television; and a heavily researched, candid book titled "Double Play by San Francisco" is scheduled for publication on Jan. 5, the day White is to leave prison.

There have been magazine articles, including a fiction piece in California magazine purporting to be White's journal; a well-received biography on one of White's victims, Supervisor Harvey Milk; and enough retrospective local news coverage to keep volunteers at the Harvey Milk Archives busy for months.

People who have thought deeply about the case say the reasons for this intense interest are complex.

Art Bierman, whose play "Oh, Danny Boy" recently opened at the Julian Theater in San Francisco, suggests that the community may have a largely unarticulated need to face the murderous feelings left by White's light sentence.

The five years that White has served — the maximum

(Indicate page, name of newspaper, city and state.)

Date: 12-21-83
Edition: Final
ZA1 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED <i>gw</i>	INDEXED <i>gw</i>
SERIALIZED <i>gw</i>	FILED <i>gw</i>
JAN 27 1984	
FBI — SAN FRANCISCO	

44C-2178-53

for manslaughter — represents too short a sentence, in view of the gravity of the crimes, to have a therapeutic or cleansing effect, he says.

A member of the philosophy department at San Francisco State, Bierman believes the Dan White case forced many ordinary people to experience feelings they had never faced.

Perhaps unconsciously, the public expected to be paid back for this bad experience by White's getting a severe sentence, Bierman says. When the jury failed to find White guilty of murder, the community was left with sour feelings toward White that persist, he says.

For support, Bierman points to a recent TV interview with Warren Burger, Chief Justice of the United States.

"There was a time when I shared the view that retribution, which some people call revenge, society's revenge, was totally wrong," Burger said in the Cable News Network interview with Steve Nevas.

"I'm not so sure (now). Retribution has got to be a factor. If the person isn't apprehended, convicted and sent away, there's a terrible neurosis, a community mass neurosis, built up."

"That must have some outlet, and whether we like it or not, one of the outlets is that this person is found, tried, convicted, sent to prison. Then, at least, that mitigates the neurosis."

In White's case, Bierman says, there was no question of White's guilt — he gave himself up, was tried and sent to prison for killing Mayor George Moscone and Milk. Still, Bierman says there is a strong community feeling that White hasn't been ade-



DAN WHITE
Subject of play, TV docudrama

quately punished.

It has been suggested that the White killings typified San Francisco crimes in the sense that "In Cold Blood" described particularly Kansas crimes or "Blood and Money" particularly Texas crimes.

This view of the assassinations as a uniquely San Francisco event is reflected in TV's "The People Vs. Dan White." The film, based in part on Steve Dobbins' play, "The Dan White Incident," realistically re-creates the trial of Dan White.

Negotiations are under way to show "The People Vs. Dan White" nationally.

Although there apparently is widespread interest, at least locally, most of those directly involved in the case have ~~avoided~~ taking public stands on the flurry of attention.

The Dobbins play, which included allegations of a cover-up based on physical evidence, aroused the most protest, mainly because the physical evidence did not exist.

Both coroner Dr. Boyd Stephens and Frank Falzon, who was the chief investigator, were incensed at implications — which did not hold up — that they had held back on important evidence.

Prosecutor Thomas Norman was also displeased with the Dobbins play, although he found the TV drama, which eliminated controversy by sticking to the evidence, interesting — particularly the work of Michael Harrington, who played the prosecutor. "I think he must have watched me," Norman said. "He had a lot of my gestures."

White himself, still in Soledad prison, has thus far declined requests for interviews and avoided answering reporters' letters. White's attorney, Douglas Schmidt, has also avoided press inquiries.

But Falzon, who believes it is important for the public to understand the case, has spoken out several times, including an appearance in the TV drama.

His on-camera frankness in discussing the police department's displeasure with Mayor George Moscone for appointing Chief Charles Gann surprised some viewers, although the feeling was widely known at the time.

Falzon is proud of his work in the case, including obtaining an admission to two first-degree murders, and he believes he has been given a bad rap by some observers because White was a close friend.

But if the participants are silent, the public blitz is on. There's already a brisk market for all sorts of Dan White t-shirts.

(Mount Clipping in Space Below)

Psychiatrists Doubt Dan White Will Kill Again

Same Set of Circumstances Unlikely, Experts Agree

By Susan Sward

Several psychiatrists who examined Dan White after he killed San Francisco Mayor George Moscone and Supervisor Harvey Milk say it is unlikely he will ever kill again.

On the eve of White's January 6 release, four of the six psychiatrists who testified at his trial said that it would be unusual for the precise sort of circumstances that set off White's killings to recur during his lifetime.

For that reason, the four said that, although any prediction about human behavior is very difficult, they concluded that the chance of White's being a repeat offender was extremely slight.

Dr. Roland Levy, a University of California at San Francisco doctor who was the only psychiatrist who testified for the prosecution, said: "Anybody is capable of committing a murder, and White would be no more likely than the average person who has never killed before."

"There's no reason to think of him as a greater risk," added Levy, who was the only psychiatrist to interview White on the day of the Nov. 27, 1978, City Hall killings.

Levy, who testified that White did have the capacity for malice necessary for a second-degree murder verdict and that he did not find White severely depressed, said:

"People who commit murders tend not to be habitual offenders. Murders tend to be crimes of passion."

Levy, who has testified for both the prosecution and defense in more than 500 trials, said he doubted that White would "ever be in that situation again" where he would pull the trigger.

A fifth psychiatrist who testified at the trial, Dr. Jerry Jones, declined to say whether White might turn violent again. "I don't know if he's a repeater," said Jones, who is in private practice in Stockton and has testified in about two dozen criminal trials, mostly for the prosecution.

"It would be rare for all those circumstances (surrounding the killings) to come together again," said Jones. He spent more than 11 hours with White and later testified that White had a severe depression that significantly impaired his ability to deliberate or to harbor malice as it was defined by the law.

"I certainly wouldn't say he's free from that liability (of killing again), but I also haven't followed up on him since then," said Jones.

The sixth psychiatrist who testified at the trial, Dr. Richard Delman of San Francisco, would say only "won't talk to the media" when asked

to comment on the case.

In the five years that White, a former San Francisco supervisor, has been behind bars, he has never asked for or received any professional therapy in jail or at Soledad state prison.

At White's trial, Dr. Martin Blinder, a San Anselmo psychiatrist, stated in his testimony that there was some evidence that if a susceptible person ate junk food, the action could set off anti-social or violent behavior. Blinder, who has testified in about 500 trials, also described how White would gorge on junk foods including Twinkies.

The jury returned a verdict of voluntary manslaughter. In order to find a person guilty of second-degree murder, it is neces-

(Indicate page, name of newspaper, city and state.)

Date: 12-27-83
Edition: 6 Star
8 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

- or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 1 - 1984	
FBI - SAN FRANCISCO	

44C-2178-54

'People who commit murders tend not to be habitual offenders. Murders tend to be crimes of passion'

sary for the prosecution to prove the existence of malice — which is defined in a highly complex way under the law. A first-degree murder conviction additionally requires that the prosecution prove premeditation and deliberation.

When the trial was under way, the media seized on a small portion of Blinder's testimony, dubbed at the "Twinkie defense" and regularly stated this had been the thrust of all psychiatric testimony at the trial — although Blinder was the only psychiatrist to allude to this theory in his testimony and then only in an extremely brief reference.

In recent interviews, several jurors in the case disclosed that they gave considerable weight to the psychiatrists' testimony about White's crazed mental condition. But they said they paid little heed to the brief mention that junk food ingestion might be a possible trigger of violence in people.

In retrospect, Blinder wishes he had never even mentioned the junk food topic. "It wasn't crucial to the testimony," Blinder said in a recent interview. "I don't think it would have made any difference in the outcome of the trial either way."

He acknowledged that the "Twinkie defense" tag became a convenient peg that embraced the public's general sense that psychiatrists are "guns for hire" who deliver an opinion from the witness stand about a defendant with their eyes on their fee and not on the truth or the safety of the public.

"Do you really think 12 ordinary folks (the jurors) would excuse a double homicide because a man ate Twinkies and drank Coca-Cola?" Blinder asked. "It's ridiculous."

Other psychiatrists who testified at the trial described their frustration at the public's reaction to the case.

Dr. Donald Lunde, an associate professor of psychiatry at Stanford University, said that many people don't understand that the jurors' voluntary manslaughter verdict meant they found White guilty of "an intentional killing. The notion he wasn't convicted of an intentional killing is wrong."

"Of all the cases I have been in — like Edmund Kemper, Herbert Mullen, Patty Hearst, the Hillside Strangler — I have never ever had the experience of the public's perception of what happened in the courtroom and what actually occurred being so far apart," said Lunde, who interviewed White on four occasions for several hours each time.

"The public still thinks the defense psychiatrists all got up and talked about Twinkies," Lunde said. In his testimony, Lunde stated that at the time of the killings, White was not capable of "any kind of mature, meaningful reflection." His phrasing mirrored a 1984 state Supreme Court ruling requiring that such a capacity for reflection must be present in order for a jury to find a defendant guilty of first-degree murder.

"Except for the passing reference by Blinder, none of the others mentioned Twinkies or said any-

thing about junk food causing Dan White's mental problems," Lunde said.

Jones agreed: "I don't think eating Twinkies affected him, for criminy's sake. All the kids in America would be depressed" if the Twinkie theory were true.

Jones also said many people fail to grasp that "if you kill in the heat of passion, that is voluntary manslaughter — not murder — according to the law and not because of what any psychiatrist said in his testimony."

Lunde and several of the other psychiatrists who testified told how they were criticized by friends who couldn't understand how they testified that White's action was anything other than first-degree murder.

"After the verdict, there were some people on the Stanford faculty who were liberals opposed to capital punishment," Lunde said. "They almost came out and said it — that White was the one exception, that he should be killed."

Blinder said he got so many death threats after the trial that he was thinking of leaving a message on his telephone recording device telling those making threats to keep them short.

Both Jones and George Solomon, a San Francisco psychiatrist who testified for the defense after spending many hours with White, said initially they doubted they would find any mental basis for a legal defense of White's actions.

Jones, who said he is conservative in his psychiatric definitions, said when he first read of the killings, his first thought was, "It was clearly first-degree or second-degree murder. I think I even remarked to my wife, 'Watch, someone will come along and say he has a psychiatric problem.' Yet Jones said that once he examined White, he changed his mind and concluded that White did have a deep depression of the sort that changes how you think. He had a decreased ability to think or concentrate or be decisive."

Solomon said initially that Douglas Schmidt, White's lawyer, called him and he agreed to see White. "All the time thinking he would likely find him a 'hyper-macho, homophobic, paranoid character' and that Schmidt would choose not to have him testify at the trial."

Instead, Solomon said he found that White had undergone recurrent bouts of serious depressive illness in his life. He also concluded from specific things White had done that he was not anti-homosexual and that he had had high regard for Milk as a man of integrity who fought for his beliefs.

In the trial, Solomon testified that White lacked the mental capacity to maturely and meaningfully premeditate and deliberate his actions and that White's mind at the time of the killings was a blank.

Solomon added that although he believed what he testified, there remains the possibility that White could be the world's biggest con man. If he is a super good con man, he could have conned me, but I continue to believe the information I got was accurate.

He added that he felt White should have undergone therapy during prison. "I personally feel the only way to work something like that out is to have some treatment — working out his reaction to what happened and the causes of what happened. There's a real possibility he'll be sick again, but with me, it's unlikely he'll be violent again even

if he's sick unless he's in a terrible situation. For this particular individual, it would require a very specific set of highly unlikely circumstances for him to kill again."

Blinder had a similar view. The chances are that Mr. White will disappear, he said. "You will never hear from him again" as a repeat offender.

Blinder, who in his testimony described the stress plaguing White and White's subsequent emotional collapse, added he didn't believe therapy in prison would have helped White.

"It's a Nixon kind of personality," he said. "Look at what Nixon has endured — been president and been reduced to saying, 'I'm not a crook.' But at a time when most people would hide in shame, Nixon went on to travel worldwide and to write the memoirs of his life. Blinder said."

People like White and Nixon "don't get in touch with their feelings," Blinder said. "You can't do therapy (on White). You can't treat a cast-iron rod. The good side of this is he's relatively inured to the oceans of despair that most of us would feel in his situation. Like Nixon, White can continue to function in his way."

Solomon said, however, that in his opinion, after the fact White did feel sincere remorse over the tragedy which he perpetrated and that he will be haunted by guilt because of the fact that, unlike a true criminal, he does possess a strong conscience.





Photos by Larry Telfer

It's ridiculous," said Dr. Martin Blinder of the idea that a double killing could be excused by junk food.

(Mount Clipping in Space Below)

Day that changed The City forever

By Larry D. Hatfield
and Jim Wood
Examiner staff writers

Nov. 27, 1978, was a day in which a few moments of madness changed San Francisco forever.

Two of The City's most popular politicians — liberal Mayor George Moscone, who had built a powerful coalition of minorities, labor, gays and the dispossessed, and Harvey Milk, who had shown the nation the rising political power of the gay community — were assassinated.

A third politician, also popular but in a much different sector of San Francisco's population, also was eliminated from the political scene.

The political outfall continues to day. As Moscone and Milk lay dead in their City Hall offices, Supervisors President Dianne Feinstein stood tearfully in front of reporters to announce the deaths.

So doing, she emerged as San Francisco's most powerful politician on that day and now. On Monday, Feinstein, now mayor, will be inaugurated for her second term. She often is mentioned as a possibility to be the first woman vice presidential candidate.

White's actions, viewed by many as an outgrowth of homophobia reflecting his white, middle-class, old San Francisco upbringing, also made San Francisco's large gay community far more politically sophisticated, committed and, most agree, effective.

Other significant events grew out of Dan White's rampage at City Hall. The most important came in 1981 when California took steps to scrap diminished capacity as a criminal defense. Since the 1940s, California had allowed the defense to introduce evidence that the defendant lacked the capacity to premeditate a crime, hold malice or form a specific intent to commit a crime.

The legislation and referendum aimed at diminished capacity resulted in part from White's "Twinkie defense." In it, White claimed that his actions at City Hall were caused in

part by depression and his diet of junk food in the turmoil-filled days leading up to Nov. 27.

As brought out at his trial, White was furious over Moscone's refusal to reappoint him to the Board of Supervisors. Under financial pressure as he attempted to keep a snack-food business going on Pier 39, he had resigned as a supervisor. Several days later, he changed his mind and was expecting to be returned to the board by Moscone.

Moscone at first led White to believe he would reappoint him, then told him he must prove his popularity. White was at home brooding when his aide Denise Apcar phoned to say that Moscone refused to see petitioners on White's behalf.

Enraged, White ordered Apcar to pick him up. Then he went to his basement den, checked to see that his old police pistol was fully loaded and slipped it into a holster on his belt.

He dropped two full loads, 10 shells of hollow-nosed Remington .38-caliber cartridges into his handkerchief. Puzzlingly, he also folded the colored book jacket of "Ireland: A Terrible Beauty" under his coat. When Apcar arrived, he rode quietly with her to City Hall and asked her to park the car.

The front entrance of City Hall was guarded by a metal detector that would have disclosed the concealed gun and ammunition, but White didn't go through it. Instead, he entered through a side window and made his way to the mayor's office, where he chatted quietly with Moscone's secretary, Cyr Copertini. He then walked into the office and, without taking a seat, began arguing loudly with the easy-going mayor.

White's distraught words were to no avail. Moscone's mind was made up. Firmly he told White there would be no reappointment. Moscone walked around his desk, according to testimony at White's trial, put his arm around White's shoulder in a this-is-just-politics gesture and invited him into a small adjoining room for a drink.

White was not a drinker.

(Indicate page, name of newspaper, city and state.)

Date: 1-6-84

Edition: Final

A16 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

"Hold my calls," the mayor instructed his secretary and stepped into the back room. As Moscone began talking sympathetically, White pulled out his gun and fired twice, the impact of the hollow-point bullets hurling Moscone to the floor. Then White straddled the body, held his pistol by Moscone's head and fired twice more, the coup-de-grace shots, as Prosecutor Thomas Norman later described them.

White reloaded at once — his defense called it the automatic gesture of a well-trained police officer — and walked to Harvey Milk's office.

Coolly, White asked to see Milk privately, and they stepped into the bare office space formerly occupied by White. It took five shots to kill Milk, the final one a shot to the head like the shot that killed Moscone.

SEARCHED <i>ED</i>	INDEXED <i>ED</i>
SERIALIZED <i>ED</i>	FILED <i>ED</i>
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44C-2178-55

White left City Hall, called his wife, Mary Ann, at work, and then waited tensely for her to meet him in the dim coolness of St. Mary's Cathedral. Together they walked to Northern Station where White turned himself in. As they walked, Mary Ann kept her arm around his waist, her hand on his gun. She was afraid he might try to kill himself.

At White's trial the next spring, defense counsel Douglas Schmidt set out to prove a simple theme: White was such an outstanding young man that he never would have killed had not something snapped. The defense never denied the killings, never sought to minimize their horror — their very awfulness supported the defense contention that White had not been himself, could not have premeditated the killings.

To a jury both middle-class and family-oriented (the defense systematically excluded gays), White was portrayed as one of their own. For such a man to kill, Schmidt argued, was totally out of character. "Something went wrong."

The prosecution played an emotional tape recording during which White admitted the killing but sobbed about the pressure, the agony he had been enduring because of money problems and his treatment at City Hall. At least one juror wept as the tape played on, and it seemed clear that although White had admitted killing two civic leaders, at least one effect of the tape was to arouse sympathy for him.

The chief police investigator, Frank Falzon, testified that until the shootings White had been one of the men he most admired. Psychiatrists testified about White's diminished capacity to premeditate a murder, and in doing so repeated his version of the crime. White himself didn't testify.

In the end, the jury deliberated six days before reaching the verdict that shook San Francisco: manslaughter. The maximum sentence, seven years, eight months. With time off for good behavior and jail time before his conviction, White would be out in just over five years.

The jurors had bought the defense's case. As reporters milled through the hot hallway, trying to reach phones, a gay activist took a friend aside and gave him a quick message: "People are not going to stand for this."

Five hours later, windows were being shattered at City Hall. Police cars burned in a line of angry flame. Police and demonstrators were battling in knots from City Hall to the Castro District.



MAYOR GEORGE MOSCONE and SUPERVISOR HARVEY MILK
First he offered him a drink, then it took five shots to kill him.

(Mount Clipping in Space Below)

4,000 peacefully protest release of killer of Moscone, Milk

By Larry Maatz

S.F. Examiner staff writer

Some 4,000 peaceful gays and their sympathizers converged on downtown San Francisco early this afternoon protesting the release from state prison today of former Supervisor Dan White, the convicted slayer of Mayor George Moscone and The City's first avowedly gay supervisor, Harvey Milk.

"Somebody is going to kill Dan White," Sister Boom-Boom, the gay political activist, told a cheering noon-time crowd of 750 in Union Square.

The protestors' ranks swelled to 4,000 as marchers walked down Post Street to Market Street, then up Pine Street to Mason Street and back to Union Square. At one point, the group stretched along nine blocks of the downtown area.

There were no arrests.

"They took to the streets, but as long as they keep moving, we're going to let them go," said Patrol Cmdr. Ray Canepa.

Protest organizer Donald Montwell, 29, said the demonstration wasn't aimed at White as much as the system that permitted him to get out of prison less than six years after the slayings in 1978.

"This is part of a statement that we wanted to make. We wanted to focus less on the man and more on the system," Montwell said.

Added Nob Hill resident Randy Coleman, "This is not a gay or straight issue. It's a people issue. Something very profound happened when Moscone and Milk were killed and it's something everyone should be concerned about."

A similar protest after White's sentencing in 1979 sparked a major riot by outraged gays in San Francisco's Civic Center.

Yesterday was the last day Dan White could be certain he could live through the day. Today Dan White begins his real life sentence. I predict that sentence will be a short one.

Sister Boom-Boom told the protestors. The crowd of protestors broke up peacefully at 1:20 p.m. Other than a minor half-hour traffic snarl at Market and Castro streets, caused by a sit-down demonstration by about half a dozen demonstrators out of a crowd of 150 in the area, there were no incidents.

While other speakers were somewhat moderate, Sister Boom-Boom of the Sisters of Perpetual Indulgence, a group of activists in drag who satirize organized religions, was blunt about his forecasts for White's future.

Saying he was going to "pray that it (White's assassination) doesn't happen," Sister Boom-Boom added, "I'm not stupid enough to think that it won't... somebody is going to kill Dan White."

Among the other speakers was Mary Dunlap, an attorney, who accused White of manipulating the system to avoid accountability. "The case of Dan White will never be closed," she said.

Teddy Matthews, identifying himself as a gay social worker, said the Moscone-Milk assassination represented a "right-wing coup."

"The killings took much away from the gay community," Matthews said. "We're not asking anyone to give us anything. We only want what was taken from us and what's not given back, we'll take back."

Earlier in the day in the Civic Center Plaza, a 33-year-old carpenter, Ed Gallagher, and two other actors from the Performance Lab Center for the Arts on Divisadero Street

staged a brief re-enactment of the Moscone-Milk murders. They wore large cardboard and papier mache heads of Moscone, Milk and White and performed on a large black and white checkerboard stage.

The Ad Hoc Committee to Protest the Injustice called for a 15-minute work stoppage today between 1 p.m. and 1:15 p.m. in memory of the slain leaders.

Committee members also called on people to "make noise" in the downtown area this afternoon to protest the release.

Examiner staff writers Beth Hughes, Mireya Navarro and Dave Farrell contributed to this report.

(Indicate page, name of newspaper, city and state.)

Date: 1-6-84
Edition: Final
A16 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED <i>[initials]</i>	INDEXED <i>[initials]</i>
SERIALIZED <i>[initials]</i>	FILED <i>[initials]</i>
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44C-2178-56

(Mount Clipping in Space Below)

DAN WHITE IN LA

4,000 in S.F. protest killer's parole release

By Gale Cook and Jim Wood
Examiner staff writers

Dan White was freed from prison today to a new life in Los Angeles County five years and 41 days after assassinating the mayor of San Francisco and a gay supervisor.

News of his release was greeted this afternoon by an angry but peaceful demonstration by some 4,000 people in downtown San Francisco.

One group of demonstrators sat down in the street at Market and Castro streets, halting westbound traffic for about a half hour. The largest group rallied in Union Square at noon and marched to the Financial District.

Another demonstration was scheduled in the Castro District this evening.

White, a former San Francisco supervisor and police officer, was re-

moved from Soledad Prison at 4:30 p.m. yesterday in the custody of Department of Corrections officers.

They concealed his leaving in the heavy traffic out of the rural institution during the late afternoon shift change. He ducked down in a Corrections Department car to avoid being

seen by reporters waiting outside.

It took him to the state prison at Tehachapi, where he was held until 5:30 this morning, then taken to a Los Angeles county parole office and released from custody at 8 a.m. At no time during the release procedure was White greeted by his family or friends. He wore his own clothes, rather than the standard prison issue, but did accept the \$200 "gate money" given all prisoners upon their release.

He will live in Los Angeles County in a rented apartment and has a job, the department said, but didn't say what kind or where to protect his anonymity. He'll be supervised by a parole officer for one year unless he violates his parole. In prison he kept to himself and had an excellent behavior record.

The department said White found his own job in Los Angeles and described it as "somewhere between

white-collar and blue-collar" work that uses skills he already has.

White is now 37. He was convicted of manslaughter in the Nov. 27, 1978, execution slayings of Mayor George Moscone and gay Supervisor Harvey Milk.

Two months ago, he submitted a parole plan calling for his return to San Francisco, but the Department of Corrections turned him down. It gave the same reason it did for secrecy surrounding his release from prison: widespread anger at the nature of his crimes and the shortness of his sentence.

At the end of his trial, in May 1979, angry gays stormed City Hall, broke windows and doors, torched police cars and damaged property downtown. Protesters clashed with police in the Castro district.

Deputy Director Philip Guthrie said that although the department has received no direct death threats, posters in the Castro district and general community comment have indicated that White wouldn't be safe here. Jo Daly, a Police Commission member, has said she doubts White

(Indicate page, name of newspaper, city and state.)

Date: 1-6-84

Edition: Final

1 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

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would be safe in San Francisco.

Most details of his parole plan are being kept secret by the Department of Corrections. The department dictated it to him less than two weeks ago after an extensive review.

One condition was made public: White is to be an exile. During his year of parole he may not even visit San Francisco. And he must have his parole officer's permission to leave Los Angeles County.

"Parole officers checked out every conceivable plan for residential possibilities and places of employment," Guthrie said, then passed on their information to Sacramento. There it was reviewed by parole and community services as well as by the director's office.

In preparation for demonstrations, police closed a block of Castro Street from Market to 18th Street. Many district businesses were closing early in anticipation of the protest, but authorities expected no repetition of the "White Night" violence that followed White's manslaughter conviction on May 21, 1979.

Nevertheless, San Francisco police, while planning a "low profile," said they're prepared for any violence. Officers carried riot gear in their patrol cars.

About 75 reporters waited in vain outside Soledad Prison, in Monterey County about 100 miles south of San Francisco, for a possible glimpse of White on his release.

Only two anti-White demonstrators joined the chilly throng of reporters at Soledad: Lovers Bobbi Campbell, 31, and Bobby Hilliard, 34, both of San Francisco, arrived about 11:30 p.m., a half hour before the midnight deadline at which White became eligible for parole.

They carried burning candles and Twinkies, the latter a sardonic reference to White's defense lawyer's claim that White's stability in the days preceding the assassinations of Moscone and Milk had been affected by a steady junk food diet.

Campbell, a victim of Acquired Immune Deficiency Syndrome (AIDS), and Hilliard carried signs saying "Dan White is More Dangerous than AIDS" and "But He Can't Kill Gay Pride."

Campbell read a statement to reporters saying AIDS jeopardized his

life but adding, "AIDS, however, has a fatality rate of only 40 percent, whereas killer Dan White has a fatality rate of 100 percent."

Criticizing the police department's and prison system's alleged kid-gloves treatment of White, Campbell said: "Even in his secretive shell game release from prison, White continues to get special treatment from the criminal justice system. Why not? He's one of their own."

Guthrie said interest in White's release was unprecedented. Normally, he said, the public and the news media show little interest in the release of prisoners. Most leave without fanfare.

But in cases of great notoriety, most recently that of paroled killer

William Archie Fain on Oct. 4, reporters have camped all night outside prisons for a picture and the chance of an interview with the parolee.

Guthrie said that more than 200 newspeople had been expected outside the California Training Facility at Soledad if the normal procedure were followed.

Guthrie said Corrections officials were concerned about White's safety and the safety of prison personnel if a large media gathering were to take place outside the prison.

He explained that White, too, had been worried about his safety. He also refused to be interviewed in prison by reporters.

In discussions with prison officials, White said he didn't want to be confronted by a mass press conference upon his release. So the Department of Corrections decided to cooperate with White in helping him avoid meeting with the press.

Examiner staff writer Leslie Guevara contributed to this report.

White's route to freedom

Thursday, 4:30 p.m.:

Department of Corrections officers drive White out of Soledad prison during shift change. White ducks down in back seat to avoid being seen. He is taken to Tehachapi (California Correctional Institute).

Nevada

Friday, 5:30 a.m.:

Corrections officers drive White to a state parole office in Los Angeles County, where his release is processed.

Friday, 8:00 a.m.:

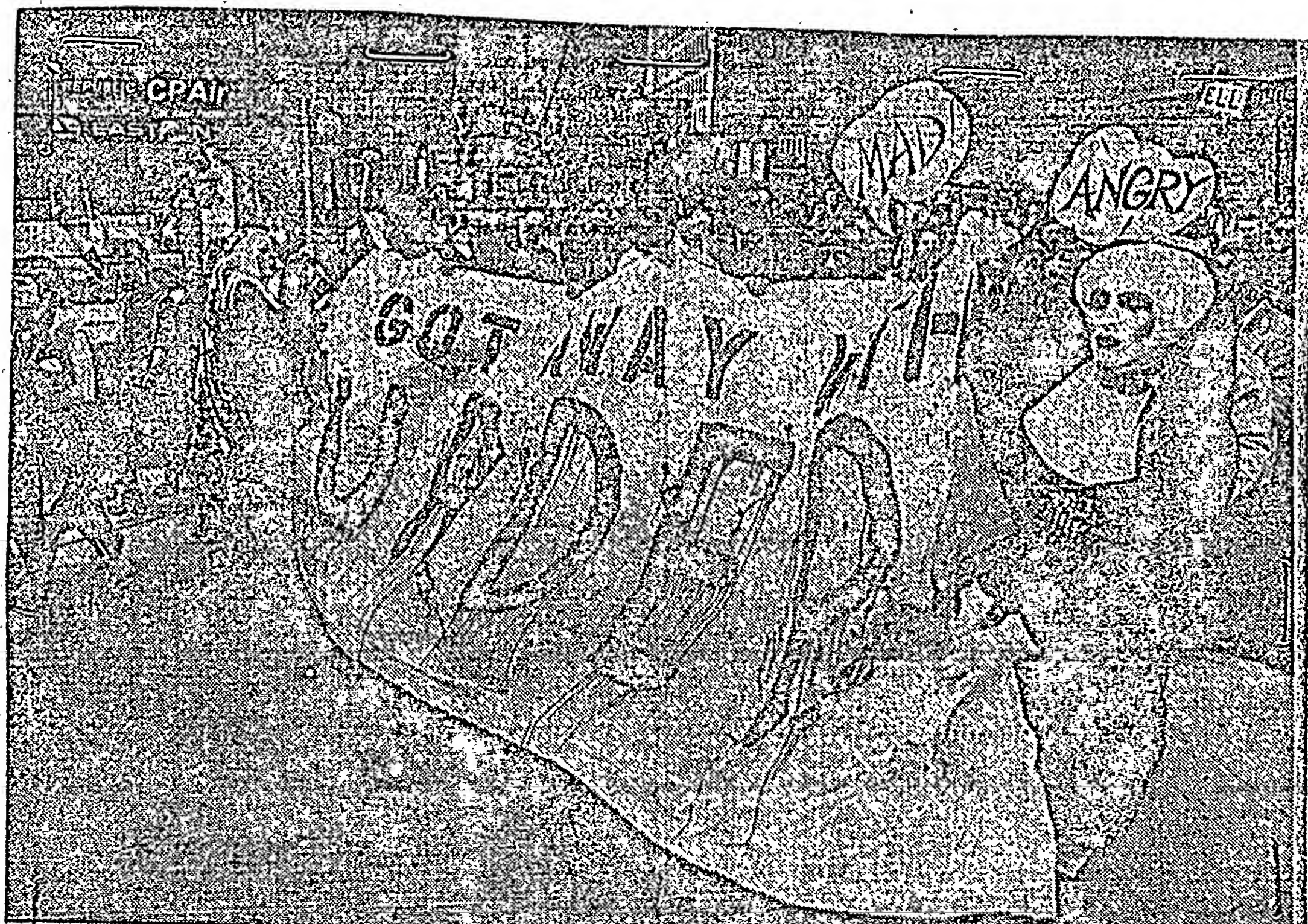
White is officially released after receiving \$200 in "gate money." He is said to be living in a rented apartment somewhere in Los Angeles County.

Los Angeles

Pacific Ocean

California





Examiner/Katy Raddatz

Marchers protesting the release of Dan White cross Powell and Post streets in San Francisco

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(Indicate page, name of newspaper, city and state.)

Date: 1-6-84
Edition: 6 Star
1 S.F. Chronicle
San Francisco, Ca.

Title:

Character:
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Classification:
Submitting Office: SF

Indexing:

5-Year Prison Term Ends

Dan White's Release

Tight State Secrecy

Only a Hint

Is Due on His Whereabouts

By Susan Sward

Dan White became legally free at 12:01 a.m. today.

But whether he actually took his first breath of air outside prison walls at that moment was one of the most closely guarded secrets in the history of California's penal system.

Prison officials said they will announce this morning in Sacramento in "vague terms" the region where the killer of San Francisco Mayor George Moscone and Supervisor Harvey Milk will spend his year on state parole.

By that time, presumably, White already will be beginning his parole after serving more than five years behind bars — most of it in cell number 230 in the protective custody wing of Soledad state prison, about 100 miles south of San Francisco.

Prison officials — citing security risks — have honored White's wish to be spared exposure to the media at his release and have remained tight-lipped.

As White leaves behind the security of prison, he faces a life in a different kind of box — hemmed in by parole constraints and the cautions he must take to avoid possible retaliation for the 1978 killings in San Francisco City Hall.

"I think he's still tense about what will happen when he gets out," said one of White's close friends, who asked not to be named. "But he's really competitive and strong-willed, and he enjoys a challenge. I

think he's kept busy hating the press, exercising and writing letters" in prison.

"The battle to keep the press at bay will keep him occupied and entertained — at least until his parole is over," the friend said.

"I never picked up any sense he felt comfortable about his release — like the 6th would be a day to take a big breath and heave a sigh of relief. I think he's anxious about it."

Authorities said the law requires that the 37-year-old former supervisor be set free today — hav-

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ing ~~seven~~ five years, one month and nine days behind bars. Although White's sentence was for seven years and eight months — the maximum for voluntary manslaughter — the law required that he be credited for his jail time prior to his sentencing and for good prison behavior.

Until the last moment, state officials declined to disclose where, when or how he would be released to travel to the location where he will be required to stay during his parole.

"There are maybe 100 places we could have moved White" from Soledad prior to his release, said deputy prison director Phil Guthrie. "In theory, we could move him to another state prison, of which there are 12. We could move him to another prison camp, of which there are 32. Or we could move him to any of some 40 halfway houses" around the state.

He added that today's announcement on White's location would be extremely vague, such as "White is living somewhere in cen-

tral California, unemployed and in an apartment."

Guthrie's warning that no one would be able to photograph or see White upon his release did not stop a small band of news reporters from converging outside Soledad last night on the faint hope of catching a glimpse of him leaving. If he hadn't been spirited away already.

White has said in recent letters to a close family friend that he was in "excellent health and spirits" and was looking forward to being reunited with his wife, Mary Ann, and two young sons.

As of late yesterday, it was not known whether his family would join him for the year on parole.

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(Indicate page, name of newspaper, city and state.)

Date: 1-4-84
 Edition: Morning
 C-1 The Tribune
 Oakland, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

White on the brink— his imminent release stirs quiet passions

By Pamela Abouzeid
 The Tribune

The silent sense of anticipation hanging over San Francisco is as palpable as the rage that preceded it in 1978 when Supervisor Dan White drew a .38 Wesson and killed Mayor George Moscone and Supervisor Harvey Milk.

White will be free Friday after five years in prison, and the relative quiet with which his freedom is awaited attests to emotions that still run high but that have exhausted nearly all means of expression.

There are plans for two street demonstrations Friday, and some will stop working for 15 minutes in memory of the horror and sadness that befell San Francisco when Dan White traded his future five years ago for the lives of two others. But the protests are expected to be peaceful, a far cry from the violent confrontation that rocked the city the night of White's conviction.

Yet there is also an ominous side. There are those who privately hold White a hero because, they reason, by killing the city's first gay supervisor and a progressive mayor, he slowed the liberal tide sweeping San Francisco in the late 1970's.

White was the man who expressed the conservative repulsion with San Francisco's growing reputation as a gay mecca and a city where coalitions of previously disenfranchised voters were calling the shots.

Most likely, however, White lovers are in the minority. The true pulse of the city is hinted at by graffiti asking "Who killed Dan White?" or in the gay bar where torn pages from a wall calendar mark the nearing date of his release.

Few people know where White will go when he gets out of Soledad Correctional Facility near Salinas and that's the way the state Department of Corrections wants it.

White's security has been in jeopardy since his arrest and with the heightened public frustration over his release, state officials are taking every precaution to assure his safety as long as he is still their ward.

Yet, no matter how much White's release is cloaked in official secrecy, once he crosses Soledad's gates, the eyes of the public will be on him for years to come. The broadcast and print media plan round-the-clock prison vigils in case he is let out in the dead of night as killer Archie Fain was in October.

The question is, where will White go? The mayors of San Diego, Richmond and San Francisco have declared him unwelcome in their cities. Yet by law, he will be on parole until 1985 and officials say that to send him out of state would make supervision of his activities near impossible.

"He submitted a proposal to us and we didn't like it," corrections spokesman Phil Guthrie said recently. "So we told him we would come up with a plan."

"Most criminals go back to their county of commitment, but he won't go near San Francisco."

For some, the unending fascination — and repulsion — with the Dan White case stems simply from the heinousness of his crimes. But for a large number of people, the obsession is rooted in the way the judicial system at once served and failed the principles of justice.

White confessed he shot Moscone because the mayor refused to reappoint him to the Board of Supervi-

sors after he resigned due to financial pressures. White blamed Milk for influencing Moscone's opinion and so he shot him, too.

The district attorney charged White with first degree murder, confident the evidence supported premeditation and motive. White had carried a gun to City Hall, evaded metal detectors by climbing through a window and reloaded his gun between murders.

None of that mattered when the defense attorneys and psychiatrists were done with their job.

They successfully argued that White's consumption of junk food aggravated the pressures that had led to his resignation. When White saw he would not be reappointed, the combination of stress and biochemical changes caused him to suffer a diminished mental capacity, they said.

The tactic went down in history as the "Twinkie Defense." It won White a conviction of manslaughter instead of murder because the jury believed that at the time of the

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crime, he did not have the mental capacity to form malice, the legal standard for murder.

If the masses that witnessed the Dan White case are silent for the most part, the players who participated in it are even more so as the day draws closer to White's release.

His lawyers, Doug Schmidt and Steve Scherr, politely decline to discuss the case.

The prosecutor, Thomas Norman, is less courteous in his refusal to talk, hinting that he may have been libeled by some retrospective accounts of the case.

■ ■ ■

On paper, Dan White was a model citizen.

The son of an Irish Catholic working class couple, he was captain of his high school baseball and football teams, a good student at City College, a Vietnam paratrooper and a guy's guy on the fire and police forces. He had a pretty schoolteacher wife named MaryAnn and an adorable baby.

Most important, he loved San Francisco and decided in 1977 it was time to make sure, as he said in his campaign literature, that "splinter groups of radicals, social deviates and incorrigibles" did not ruin his city. He ran for supervisor and won.

So did Harvey Milk. The former Wall Street businessman turned hippie turned gay activist had run for supervisor three times and made it on the last.

Sexuality aside, he could not have been more different from his new colleague.

Where White was methodical, conservative, uptight and restrained, Milk was nervy, hip, passionate and liberal.

Milk's goal was to give gays a share of the power traditionally held by the mainstream; White's was to

assure the power stayed put.

The difference is that Milk was a master at the political wheeling and dealing that would give birth to his goals, and White was not cut out for the game.

"I recall thinking that if he is elected, he is going to have problems at City Hall because he is unwilling to compromise or negotiate," said Jack Jennings, who said he introduced White to Moscone at White's campaign headquarters near his real estate office.

"He didn't understand that if you want something, you have to give something."

In the end, White stood alone. More often than not, the rest of the board voted against him, and when the homosexual rights ordinance came up, he was the sole supervisor to vote no. In the meantime, Milk had forged an alliance with Moscone and was doing as much for the mayor's liberal agenda as for his own gay cause.

"White obviously didn't like the way the city was going and that, I believe, is why Harvey died," said Scott Smith, Milk's former lover, business partner and campaign manager. "I have no doubt it was totally premeditated and that, I think, was the major motive."

Ironically, at the time he was killed, Milk was subject to the same financial pressures that White said led to his board resignation and, later, mental impairment.

Neither man had been able to make ends meet on their \$9,600 supervisor's salary and neither of their private businesses was bringing in more.

In early November, Milk and Smith closed their business, Castro Camera. White kept open his Pier 39 potato concession, but two weeks

later, gave in to the pressure and shot Milk and Moscone.

■ ■ ■

Today, MaryAnn White divides her time between the concession, schoolteaching, and raising two children. The Whites' second child was conceived during a conjugal visit in prison. He was born with Down's Syndrome.

Mrs. White has refused to talk to reporters since the day of her husband's arrest, and White's parents and 16 siblings have helped shelter her privacy since then. State officials will not say if she and the children will accompany White to his new home. The lease on the potato concession expires next week and Mrs. White has not yet notified Pier 39 if it will be renewed.

Gina Moscone, the mayor's widow, too has avoided the probing eyes of the media. She continues to live in the family's home in St. Francis Woods, venturing occasionally into the limelight for charity purposes.

One of her daughters married last summer; the other three children are still in school. If the occasion presents itself, Mrs. Moscone intends to participate next summer in the Democratic National Convention that will be held in the Moscone Convention Center, named after her late husband.

Scott Smith is the only one who has not chosen silence for himself, though he advocates restraint for those still hurt by the crimes. Smith organized the candlelight vigil held six weeks ago when the U.S. Justice Department decided against charging White with violating the civil rights of Milk and Moscone.

"It's a measure of the community that the police and media expected violence but there was not a hint of it," Smith said, "That is where we've



Protesters smashed doors at San Francisco City Hall after the verdict in Dan White trial in 1979.

come in five years. I see it as a responsibility and maturity in the community." Sometimes, he goes to the exercise yard. He always reads newspaper and magazines stories about him. But, by and large, he is marking time.

White, meanwhile, sits in his prison cell day in and day out, saying little to anyone, keeping to himself. "You might say," Soledad spokesman Matthews said, "that he just isn't rocking the boat."



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(Indicate page, name of newspaper, city and state.)

Date: 1-6-84
Edition: 6 Star
6 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

A Cold Vigil Outside

Soledad Prison

Reporters, 2 Gay Protesters

Await Dan White's Release

By Stephen Magagnoli
Chronicle Correspondent

Soledad, Monterey County

In the chilly darkness outside the gates of the Soledad Correctional Training Facility here, about 50 members of the news media and two gay protesters were gathered early today awaiting the release of Dan White.

No one was certain whether the 37-year-old White was still among the 5560 inmates, but the consensus was that White had not been moved elsewhere.

Soledad spokesman Herb Matthews, who made a brief appearance shortly before midnight, told reporters that he would try to notify them after White was released — whenever and wherever that might be.

Starting at 2 p.m. yesterday, the media began to camp outside the prison, located 23 miles south of Salinas. For several hours they huddled

among themselves, trading theories and interviewing one another.

"This is cannibalism," said one exasperated journalist as he watched the television camera crews focus on yet another set of reporters.

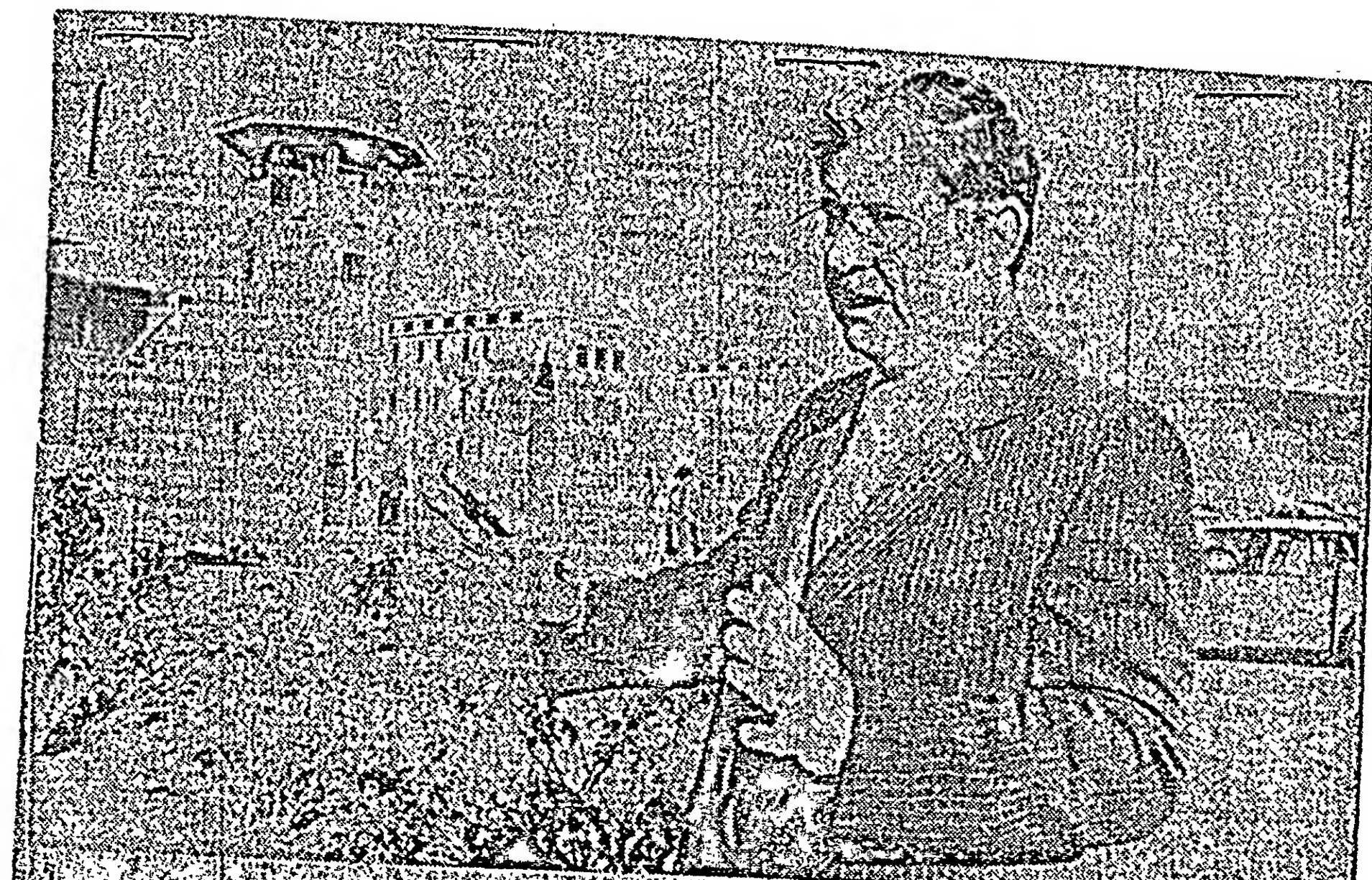
The monotony was broken at about 11:15 p.m. when two candle-bearing, placard-carrying demonstrators from San Francisco arrived. They were 31-year-old Bobbi Campbell, a registered nurse who said he has AIDS, and Bobby Hilliard, 34, a gay man who works in a San Francisco bank.

Campbell held a placard that read "Dan White Is More Dangerous Than AIDS," while Hilliard held a placard that read "But He Can't Kill Gay Pride."

Campbell, who held a pack of Twinkies in his hand, said, "I am a gay man with AIDS, and as such, my life is in jeopardy. AIDS, however, has a fatality rate of only 40 percent."

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Soledad prison official Herb Matthews (shown here early yesterday), made a brief appearance shortly before midnight and told reporters he would try to notify them after White was released. UPI Telephoto

whereas killer Dan White has a fatality rate of 100 percent, so AIDS is not as dangerous as unrestrained homophobia."

Hilliard called White's release "an insult to all gay people," and said he hoped "the protest would lead to more respect from the courts

and society as a whole."

Campbell, his voice straining, asked, "Why isn't he here? Why won't he be here tomorrow?"

(Mount Clipping in Space Below)

Rallies will protest release of Dan White

Convicted murderer Dan White's release from prison today will set in motion two rallies protesting his freedom and a morning memorial service for the two assassinated victims — Mayor George Moscone and Supervisor Harvey Milk.

In Municipal Court Judge Herb Donaldson's Hall of Justice courtroom, a memorial service will be conducted at 9 a.m. Attorney John Wahl, representing Milk's heir Scott Smith, and Police Department attorney Larry Wilson will be among those speaking.

At noon in Union Square the Committee to Protest the Injustice, the organization sponsoring both demonstrations, will encourage people to stop work between 1 and 1:15 p.m. today and to go outside and make as much noise as possible to vent protest over White's alleged lenient prison sentence that touched off the infamous White Night Riot at City Hall on May 21, 1979.

Beginning at 6:30 and running until 10 p.m., the Committee to Protest the Injustice will hold a rally at Castro and 17th streets with speakers and entertainment.

Some 3,000 are expected to attend the Castro Street rally that required a street closure approval from the Board of Supervisor's Transportation and Traffic Committee earlier this week.

"We will do what we generally do for any major demonstration," said Police Department spokesman John Hennessey. "There will not be a strong police presence, but there will be monitors assigned and an appropriate number of police allocated if anything should arise."

Stephanie Mettfield of the Committee United Against Violence said her organization will provide civilian monitors at the night rally.

"We don't expect any violence, but we will have watch monitors on Castro Street to help alleviate any tension that might occur," she said.

There will be medic monitors available and monitors who will serve as liaison with the police, she said.

(Indicate page, name of newspaper, city and state.)

Date: 1-6-84
Edition: Fri.
A3 S.F. Progress
San Francisco, Ca.

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Classification:
Submitting Office: SF

Indexing:

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Somewhere in State, Dan White is free

By Dan Borsuk
Dan White, the former San Francisco supervisor, police officer and firefighter who shot Mayor George Moscone and Supervisor Harvey Milk in their City Hall offices on Nov. 27, 1978, is a free man today.

After serving a five-year, eight-month prison sentence, White was released from one of the 100 California correction facilities sometime after midnight today.

Although state officials won't say where White will live in California while on a one-year parole, there's been speculation the ex-supervisor might be living in a house on Sebastopol hilltop or some place in Contra Costa County or one of any number of locations.

In the 20 years I've been in the correction field, I've never seen the amount of media attention and public disappointment with the court decision dealing with Dan White," observed Bill Guthrie, a spokesman for the state Department of Corrections.

"Because of all of this attention on Dan White, we are not giving out any information where he will be living at this time, for the safety of corrections staff and for Dan White," he added.

Guthrie said some type of "general" information on White's whereabouts will be released sometime today, but he said the press release would only indicate if White is living somewhere in Northern or Southern California.

Whether or not White was released from Soledad Prison, the facility where he had been locked up in a protective custody block cell since July 3, 1979, was also not revealed.

The vagueness on where White was actually released from is another measure, according to Soledad Prison spokeswoman Ruth Younger, to protect White, who has refused to be inter-

(Indicate page, name of newspaper, city and state.)

Date: 1-6-84
Edition: Fri.
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viewed by the press ever since his incarceration.

Corrections officials described White as a conforming and well-behaved prisoner who ate meals alone and was separated from Soledad's general population. He took a course in physical anthropology and two courses in physical science, and in his cell, he had a television and a few personal items. White met his wife, Mary Ann, a Treasure Island school teacher, at least twice each month.

White's release was confirmed last Nov. 21 when the U.S. Department of Justice announced a federal suit against the 37-year-old San Francisco man had been rejected due to a lack of evidence.

Attorney John Wahl, who represented Milk's heir Scott Smith, had filed the suit, claiming that by slaying Moscone and Milk, White had violated the two politicians' civil rights as re-election candidates.

"This shows that homophobia exists in the United States," declared Wahl shortly after the Justice Department decision.

Wahl said recently he and other individuals are seeking to prove that a conspiracy involving White and the federal government existed at the time of White's trial.

The San Francisco attorney said evidence is being accumulated to show White's defense attorney Douglas Schmidt was associated with U.S. Attorney Joseph Russoniello, a former assistant San Francisco District Attorney from 1967 to 1975.

Russoniello was on the DA's staff that ultimately failed to prosecute Dan White for the crimes he committed, Wahl said.

But Russoniello said Schmidt was one of some 350 Bar plebeite lawyers supporting Russoniello's unsuccessful 1979 bid for San



Dan White as a candidate for supervisor

San Francisco District Attorney Joseph P. Freitas said he was not on the DA's staff in late 1978 or in 1979, when the DA's office, headed by former DA Joseph Freitas, prosecuted White.

"It is foolish to suggest that any connection between me and Schmidt had anything to do at all with the Department of Justice decision concerning Dan White," Russoniello told the Progress.

"The Department of Justice in Washington made the decision," he added.

Meanwhile, Scott Smith, who also believes a conspiracy exists in the lenient prosecution of White, said, "Friday (today) should not be a day of business as usual. We should remember this day as a day of miscarriage of justice."

When asked if White will be a dangerous man during his freedom, Scott said, "He's shown once he can resort to this type of violence and he can do it again if put in a similar situation as what occurred that November 1979 morning."

"I don't think he's going to have an easy time of it being free," Scott said of White. "There are, though, some pockets in California that would welcome him, but they are a minority."

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New Mood in White's Old Neighborhood

By Katy Butler
and Susan Sicard

Today, on the eve of Dan White's release from prison, his old neighborhood struggles with a sense of lost direction and destroyed political dreams.

The working class San Francisco district nestled beneath the green hills at the Daly City line hoped in 1977 that young Dan, the fireman who grew up in Visitacion Valley, would speak for them downtown where they felt forgotten.

But 10 months after he was sworn in, their supervisor, chosen under the former district elections system, killed Mayor George Moscone and Supervisor Harvey Milk.

cone and Supervisor Harvey Milk.

"I sense a sort of disappointment out here because he was the great white knight as far as most of the people in the area were concerned," said Jack Creighton, who owns the Leland Avenue Pharmacy in the neighborhood of little stucco homes where White grew up.

He said that people who come into the pharmacy — which he called "the neighborhood confessional" — speak "of Danny as an all-American boy who did something he never should have done. They can't understand it to this day."

The head of the valley's improvement association, real estate

broker Henry Schindel said, "If Dan came up to me now, I'd help him if I could. I think that much of Dan White. He tried to help people. It didn't work out; he got into that mess, and it was his downfall."

The valley was a decaying area of small houses and housing projects when Dan White went to City Hall. Two years after the killings, in an additional blow to the neighborhood's hope for political clout, voters defeated elections by district and returned to citywide races for electing supervisors. Today, things in the neighborhood are much the same, or worse.

Many storefronts are boarded up, and the hardware store and the five-and-ten have closed since White

went to prison. Muggings are a problem, and there is iron grillwork on many doorways.

"Before, we were very motivated and we wanted to build up our valley, getting the streets swept and things like that," remembered Arnece Birmingham, who worked in a neighborhood anti-crime program and for Dan White's campaign.

"Then OUR supervisor killed OUR mayor, and we just haven't gotten over it, that's all. A lot of hopes were crushed, literally crushed, in our valley. We don't seem to have regrouped," said Birmingham, who is still saddened by

Date: 1-5-84
Edition: 6 Star
4 S.F. Chronicle
San Francisco, Ca.

Title:

Character:
or

Classification:
Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
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44C-2178-63

FBI/DOJ

Moscone's death

Nick Verreos, an insurance agency owner who ran against White in the 1977 elections, recalled that White had credentials as a fireman and former policeman that a lot of people felt would impress City Hall.

"But he wasn't tempered by experience, and he couldn't abide the political scene," Verreos said he believed the killings made people want to block out everything associated with White — including his neighborhood.

Over the green ridge that separates Visitacion Valley from the more prosperous neighborhoods to the north that formed the rest of Dan White's district, sympathies are divided.

English teacher Lenny Heinz and his wife, Margaret, both teachers who live in the Excelsior District, feel White's sentence was too light. "It makes it hard to explain our system of justice," said Margaret Heinz.

Heinz, a friend of White's parents who taught Dan White at Rioridan High School, said, "I don't think there's rejoicing out here in any way, shape or form. Even people who hated Moscone's guts said it shouldn't have happened. White hasn't really been made to pay for the actions he's committed. But if I saw him on the street, I'd probably just say 'hi' and keep on walking. I wouldn't want to punch him in the stomach or anything."

White's wife, Mary Ann, still lives on a treeless cul-de-sac in the same neighborhood in the Excelsior. She is a figure of great sympathy

and admiration for the way she has reared two children alone and never wavered in support of her husband.

"I marvel at her strength of character and her ability to deal with all the things she has had to deal with," said a neighbor who asked not to be named.

"I've never seen any signs of stress, but maybe she is a person who can conceal inner conflict. I think most people here regard it as a tragedy, a terrible thing to happen to a young couple. I hope they can go somewhere else and start life all over."



By John O'Hara

Lenny Heinz, a teacher of Dan White, doesn't think there'll be any neighborhood rejoicing at his release

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: 1-5-84
 Edition: 6 Star
 4 S.F. Chronicle
 San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

No Repeat of "White Night" Expected

By Randy Shiltz

On the eve of Dan White's release from prison, San Francisco's gays — although still angry — are far more socially assimilated and politically entrenched than the tumultuous community they constituted when White was sent to prison five years ago.

For this reason, neither police nor gay leaders expect the protests planned for tomorrow, the date White is set free, to flare into anything comparable to the "White Night" riots that erupted after the verdict was announced at the end of his trial for killing Mayor George Moscone and Supervisor Harvey Milk.

"I'm as angry today about White's sentence as I was the day it happened — that anger should never go away," said Ron Huberman, a prominent gay leader. "Our anger is totally justified. The criminal justice system failed, as it does so often in cases where gay people or minorities are victims."

Nevertheless, Huberman, who was among the marchers at City Hall in 1979, has no plans to attend the demonstrations tomorrow. Like many gay leaders, Huberman said the protests are inappropriate considering the tranquil mood that today characterizes the nation's most concentrated and politically powerful gay community.

"Protest marches were needed in 1979, but now I'm putting my energy into the system and changing the system so it doesn't happen

again," said Huberman, an investigator in the district attorney's office. "A lot has changed since 1979. We're not outsiders any more."

Most of the city's established gay leaders have avoided taking a high profile in the demonstrations, which more militant gays have been organizing for months.

L.W. Organizer Don Montwill of the Committee to Protest Injustice said the demonstrations will be an important emotional release for angry homosexuals who still view the killing of Milk, the nation's first openly gay public official, as a political martyrdom.

"We're not planning a solemn memorial or a boring speechfest — people need a catharsis," he said. "There's no excuse to have business as usual on a day which shows how the criminal justice system is slanted for white male heterosexuals and against gays and people of color."

The committee is asking gay people to take sick days or vacation time and not work on Friday. It also plans a noon rally at Union Square, which will end with a barrage of noise at 1 p.m.

"We want people to blow their car horns, bang on pans, do anything to make noise, so we can say loudly that we're watching the real villain of this case — the criminal justice system," said Montwill. "We want to serve notice that we'll continue watching so that white male heterosexuals will know they can't get away with murdering minorities."

Another rally is planned at 8 p.m. tomorrow on Castro Street, where the furious crowd gathered on May 21, 1979, before marching on City Hall and battling police.

Some persons are quietly passing word in the gay community that they may sit in the streets to disrupt lunch-hour traffic around Union Square, but even those radical protesters say they want to avoid the bloody altercations that erupted between gays and police on the violent night of the White Night riots.

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44C-2178-641

"You'll see some people maybe sitting in front of cars, and they'll just let the cops carry them away like nuke guys," said one gay radical who asked not to be named. "We don't want anything heavy with the cops."

Police officials said they would have "appropriate manpower" on hand, but none is predicting trouble.

"We're not expecting World War III," said Commander Ray Canepa, chief of field operations. "Everybody is sore and sad about this. George Moscone was a friend of mine—I don't like what happened either. I know a lot of people will be unhappy down there. But times have changed and we don't expect confrontations."

Some psychologists in the gay community feel the reason gay anger festers around White—far beyond anything that the city's Italian-Americans have expressed over the killing of Moscone—is that his crime and light punishment symbolized years of unfair treatment at the hands of "all-American" heterosexual men like Dan White.

"There's a psychological component to this. It all gets tied into the history of unfair treatment many gay people have experienced," said Steve Morin, a prominent gay psychologist. "Dan White gets all their feelings of lack of fair treatment revved up. A situation like this brings these feelings back to the surface."

The story of the assassination and the assassin long ago fit into an important historical niche for gays nationally, a major reason why interest in Milk long ago eclipsed interest in the slain mayor.

"Heterosexuals still don't understand why we were so mad—they don't have a frame of reference," says Bill Kraus, a former Milk aide.

"We worked years to get our first elected official with Harvey Milk. Then our first victory was taken from us in the most brutal of manners. To make it worse, the jury says that not only do they not care

about our tremendous loss, they're going to let White get away with it."

Dan White's bullets may have speeded the sweeping assimilation of gays into San Francisco's mainstream in the early 1980s. The rowdy gays who would angrily protest at any slight, real or imagined, at the time that Dan White walked into Soledad Prison are today a far more confident constituency after years of wielding substantial political clout.

"In a very strange and sad way, the killings cemented gay people into the city, speeding up a legitimizing process that had been going on slowly," said Kraus. "In that tragedy, it made it impossible to deny that we were a legitimate constituency with serious issues that the city needed to face."

The killings put gay politics in sharp focus, politicians of all stripes agree. It was impossible to dismiss gay political concerns as trivial or issues idiosyncratic to San Francisco. With legitimacy, gays have become rapidly integrated into most of the city's major institutions.

Kraus, for example, was frequently part of the gay demonstrations on Castro Street in the late 1970s; now he is a full-time aide to Representative Sala Burton. Many more gays, who once approached politics with the outsiders' view, now serve as legislative aides, labor officials, corporate executives, and religious leaders. Major institutions, like the Bank of America, now regularly contribute to gay charities.

When gays taunted and fought police at City Hall in 1979, police officers were widely viewed as those who harassed, and at times, brutalized gays. Today, about 100 members of the Police Department are lesbians or gay men, according to several gay officers, and a prominent lesbian sits on the city's Police Commission.

Demonstrations in recent years have grown smaller and smaller.

"Wounds may not have healed, but we have an entirely new perspective now," said Dennis Collins, an aide to Supervisor Richard Iton.

gisto and an officer in the Alice B. Toklas Gay Democratic Club. "The whole assimilation process in politics and the private sector means that we can change things internally. Five years from now, we'll even be more assimilated."



Bill Kraus



Ron Huberman

**Non-gays
still don't
understand
why we were
so mad**

**I'm putting
all my energy
into...
changing the
system**

(Mount Clipping in Space Below)

Gays schedule rally to protest White's release

By Norman Melnick
Examiner staff writer

There will be a deeper reason than to protest the release of Dan White when gays rally Friday night on Castro Street — they want judges and prosecutors to know they're watching and that they don't approve.

According to Donald Montwill of the Committee to Protest the Injustice, sponsors of the rally, the event will cast the criminal justice system in the role of culprit for wrongfully, in their viewpoint, allowing White to leave prison after only five years for the 1978 killings of Mayor George Moscone and Supervisor Harvey Milk.

Montwill, one of the rally organizers, said he anticipated thousands would show up "to send a message to the criminal justice system and to let them know that we're vigilant and that we're determined that the Dan White matter will never happen again."

Jim Manness, another organizer, said the protest could be termed a celebration of sorts.

"We're celebrating something that (White) said he wanted to happen — to be rid of the radical-progressive elements in The City — and it didn't happen. We're happy about that," Manness said.

"It's a feeling of solidarity that we have," he said.

The Board of Supervisors yesterday unanimously approved blocking off Castro Street between 18th and Market streets for the rally between 7 and 10 p.m.

Manness said many members of the San Francisco gay community will address the protesters. Other speakers will include Cleve Jones, one of Harvey Milk's aides, and Ginny Foat, the former president of the California chapter of the National Organization for Women.

There will also be entertainment, comedy and music.

CPI is a group that was formed expressly to put on the rally, Montwill said.

He said he did not anticipate any violence. "I don't see a remote possibility of violence. There is concern in the gay community that we not emulate the violence of someone like Dan White," Montwill said.

(Indicate page, name of newspaper, city and state.)

Date: 1-4-84

Edition: Final

B7 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED <i>[initials]</i>	INDEXED <i>[initials]</i>
SERIALIZED <i>[initials]</i>	FILED <i>[initials]</i>
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44C-2178-65

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Looking Back at Dan White

By Susan Sward

One day nine bullets changed their lives.

Initially, they had little in common as a group, except for having been close to Dan White or his victims, or having worked somewhere in the city's court system.

Yet, when White, an ex-supervisor from the Excelsior District, shot to death San Francisco Mayor George Moscone and Supervisor Harvey Milk five years ago, he touched them all.

Now, on the eve of White's release Friday from state prison, several of these people talked about how the case affected them and what they feel about White after those five years.

FRANK FALZON



San Francisco homicide investigator Frank Falzon says the Dan White case still eats at his guts. A million times, he says, he has gone over what he might have done differently.

When the call came in to the Police Department about the City Hall shootings, Falzon was one of the homicide investigators "on call."

Until he reached City Hall, Falzon did not know that the killer was White — his friend since childhood, his former teammate on the San Francisco police championship softball team, and someone he considered almost like a kid brother.

Looking back on his investigation, Falzon says, "Here was a case that was 100 percent in its entirety, and yet we lose it. To find a scapegoat in this case it has to go beyond me — the investigator — and the district attorney who prosecuted the case."

"I think it was the law. Without the diminished capacity defense in the psychiatric testimony, there was no defense in this case."

"I ask myself, what did I do for Dan White except tell the truth?" Falzon said. He had helped build the case with all its pieces: murder weapon, motive, the premeditated avoidance of the metal detector at City Hall.

During the trial, Falzon was asked by White's attorney to give his opinion of White, and Falzon responded that before the killings he had thought very highly of his friend. Critics later blasted Falzon, arguing that the case was a classic example of police protection of one of their own.

The criticism stung Falzon. "I can take it. I know everyone is looking for an answer, and I know Frank Falzon must answer their questions. I have big enough shoulders to handle it. I'll always be an honest cop. I will continue to be that kind of policeman."

Falzon said there's nothing he would have done differently in his handling of the case — even after all these years of self-examination about what he might have done. He said only one person could say what went on almost every minute of the day of the murders, and that was Inspector Frank Falzon.

Now, Falzon said glumly, "the final chapter hasn't been written yet" on how White will fare outside prison walls.

"When are we going to let this thing rest? What does the media want? Are the reporters going to be the semi-literate leaders of the lynch mob?"

... far do you push it?"

(Indicate page, name of newspaper, city and state.)

Date: 1-3-84
Edition: 6 Star
2 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

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Classification:

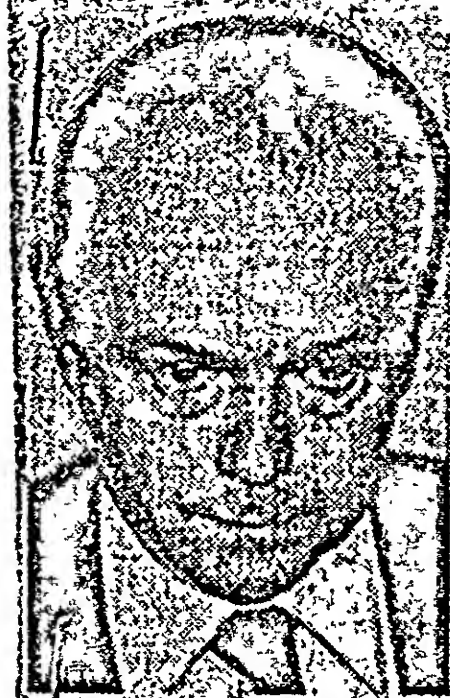
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TOM NORMAN



Assistant District Attorney Tom Norman isn't talking much to reporters these days about the Dan White case. He is tired of the questions implying that he threw the case to help White — an All-American kid of Irish extraction, ex-police man, ex-fireman, Vietnam veteran.

"Enough is enough," says Norman, who prosecuted more than 200 murder cases and never felt he had any case with stronger evidence than the case he presented against White.

At the Hall of Justice, friends said Norman is still winning murder cases, but he lives under the cloud that the White case cast over his reputation.

"I've been hurt very badly now," Norman said recently. "Some go so far as to say I threw the case — that means I'm plainly dishonest."

"There's not one person who came out and said what I did that I shouldn't have. They talk about how Norman should have put on a political trial. I don't even know what that means."

In recent times, Schmidt has adopted a policy of not talking to reporters. Yet, the period after the verdict when Schmidt was still speaking out, he appeared on the Phil Donahue Show and was asked by someone in the audience how he could sleep knowing White would be back on the streets in five years.

"I would suggest that he is not the type of man who would kill again," Schmidt responded.

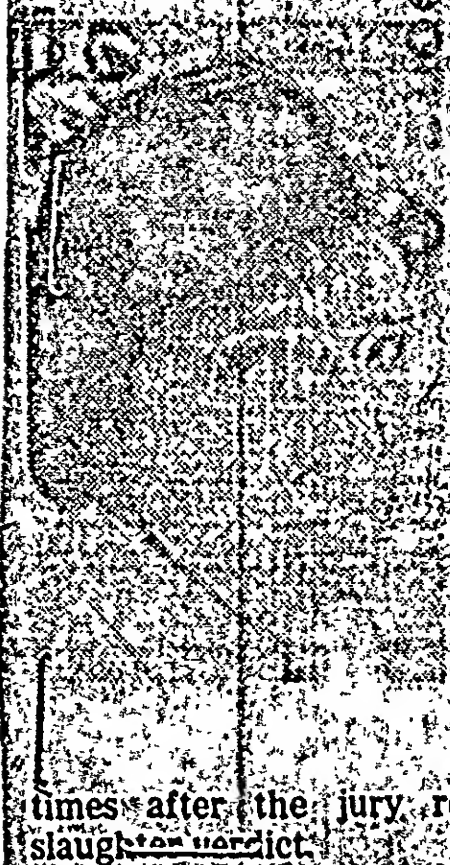
Today Schmidt isn't seen very often in Hall of Justice courtrooms. One year after the killings, he represented a nun who had killed her mother. Two years after the killings, he granted an interview in which he defended his use of a diminished capacity defense in behalf of White.

"The liberals have got to get themselves together on these issues," Schmidt said in that interview. "They are whining about the death penalty, and suddenly gas is too good for Dan White."

In recent years, Schmidt's name has not surfaced in high-profile San Francisco crime cases. Friends say he works on appeals in the state courts. On weekends, he spends time at a ranch he owns north of San Francisco.

Some sources in legal circles speculated that being White's attorney may have ended by hurting his practice. Yet one of Schmidt's friends, who asked not to be named, saw the situation another way. "Maybe he doesn't choose to be in the limelight until things cool down a bit. He could have parlayed the White case into a booming homicide defense practice if he wanted to do so. He's smart. He's fast. I think he chose that low profile."

DOUG SCHMIDT



For a few short weeks after the verdict, Dan White's attorney, Douglas R. Schmidt, talked a lot about his client — White's motivations, his feelings, his bleak future.

Schmidt, who was 32 years old when he defended White at the trial in 1979, also told how his own life was threatened many times after the jury returned its manslaughter verdict.

SCOTT SMITH



The memorabilia of Harvey Milk's life. Overflows from drawers and file cabinets in Scott Smith's Castro District flat. Behind Smith, Milk's former lover and heir to his estate, sits a round blue and white poster stuffed between the couch and the wall. The fat letters read: HARVEY MILK.

"We even have his pony tail that he put off in 1973," said Smith, 35, who met Milk when he was 22 in New York and moved to California with him the next year. "Harvey was a pack rat. He saved everything."

Living in the middle of all Milk's papers and possessions, Smith said he feels a moral obligation "to keep Harvey's memory alive." He said he has come to terms with the fact that that means he will never leave Milk's death behind.

After Milk's death, Smith said he spent about a year and a half "living pretty much as a hermit. I had lived in the shadow of Harvey for so many years. I had trouble establishing my own identity."

Finally, he began involving himself in the gay community and politics again. Today he runs a graphics business with a roommate out of their apartment, and he does odd jobs helping move people.

As for Dan White, Smith said: "I would never seek revenge. Harvey was against the death penalty. He was a non-violent person. He was in favor of gun control."

White will have to live with himself and Smith said, everywhere he goes once he is out of prison, he will "be looking at shadows."

MEL WAX



Mel Wax, who was Moscone's press secretary, wonders what would have happened if I had been there — whether that would have prevented Dan White from killing George or whether it would have made any difference at all.

"Probably, I guess, it wouldn't have made a hell of a lot of difference except he would have shot me too."

Wax, who now is public relations director for the Port of Oakland, also wonders whether

the outcome would have been any different if he had sent a telegram to White notifying him he had not been reappointed, as he did to the others seeking the Board of Supervisors' post. That is what Moscone asked him to do with the other candidates, but Moscone had wanted to tell White himself about his decision.

Wax says he has no idea what will happen to Dan White. He isn't for any vigilante action against White. That wouldn't bring Moscone back.

CYR COPERTINI

Cyr Copertini, an amiable dark-eyed woman who was Moscone's administrative secretary and now holds the same post for Mayor Dianne Feinstein, says that once you realize that someone from the City Hall establishment killed your boss, then you feel less secure about everyone.

Dan White had always been very polite when Copertini talked to him. He was polite that November day when he spoke with her briefly before he went in and killed the mayor. He had seemed nervous, but she said that wasn't odd. He was trying to get his job back, so anyone might be nervous.

Five years later, she finds "you never feel secure about anyone again. When someone is walking down the hall who you don't know now, and you see them there, you start. You question it. To think someone you know could have done that."

As she thinks about White now, she said she doesn't wish for the death penalty. She doesn't believe in it. "I couldn't have worked for George if I did." She thinks White should have been sent to prison forever, without possibility of parole.

RAY SLOAN



Several months after the killings, Ray Sloan said he was getting drunk on gin, stretched out on a beach at Lake Tahoe, when the full weight of what had happened hit him.

Sloan, who was White's campaign manager when he ran for supervisor in 1977, said he

asked himself: "What have we wrought?" When he looked at what White had done, he wondered about his ability to judge people's character.

At the same time, Sloan says, he still cares about White and believes White could find greatness in himself again.

"He is an extraordinarily capable person," Sloan said. "His sixth sense is one of the more uncanny things I've seen in my life. So there's the potential. Before I saw him as great, and I see him as great again."

In the years since the killings, Sloan has moved from job to job in political work and fund-raising. Now and again the subject comes up. Say, weren't you the guy who worked for Dan White?

"It's like something that doesn't go away," Sloan said. "I get jobs. I do the work I want to do. But it's like a bad penny — it's something that always comes up."

The case "has radically affected my life, so how is it going to affect Dan's life? My goodness, I'm a peripheral person, and it has severely affected my life."

JOE FREITAS



Before the White thing, Joe Freitas said he was looking forward to a second term as San Francisco district attorney.

"I was talked about for attorney general, mayor, or governor. When Moscone was assassinated, there was an effort on the Board of Supervisors — two of them — who wanted to

put together enough votes to get me appointed acting mayor. Freitas, who declined to name the two supervisors who backed him, said he threw his support to Dianne Feinstein, then president of the board.

When the White verdict came in and voters — partially because of the way the prosecution was handled — tossed Freitas out of office a few months later, he said it was a "very wrenching" experience.

"It took a while to come to terms with it. It would be like losing a parent. You have this ache and it takes a while to heal. You've been rejected," said Freitas, who now is in private practice as a specialist in labor law. "It took a while for the pain to go away and, occasionally, it does come back, along with some questions about whether the strategy of the prosecution could have been any different."

"You can always play those games, but I'm not sure how productive or profitable that is. If I had done something differently, would it have changed the result?"

He said all the criticism about the White case's prosecution is hard to deal with, "but so what? Do you want to live a life of irkedness? That would be giving into a life that's pain and frustration. You have to learn to live with it and — on with your life."

GOLDIE JUDGE



It will be hard on Dan White living out in the world, Goldie Judge said — thumping her hand on her wooden kitchen table as she spoke. Prison must have been another world, another space.

Judge, a Visitation Valley neighborhood worker who was White's first campaign manager,

during his successful 1977 campaign for supervisor, said she was sure White had plenty of friends who would help him out.

"There's people who think Dan White is a hero. They'd never admit it, though. Who wants another guilt trip?" Judge asked.

Judge, who has helped her husband, Roland, run his small ice cream store in Visitation Valley in the years since White's trial, said life hasn't been easy.

Emotionally, it's been draining," she said. She keeps a notebook of White's old campaign literature, including a piece on "social deviates" that was part of the reason she said she developed questions about White's goals, and she ended up leaving several months before the election.

Judge, who eventually became a leader in the effort to block White's reappointment to the Board of Supervisors after he resigned voluntarily, opened the book.

She pointed out some of the neatly printed words on a yellow piece of Dan White "Unite and Fight" literature: "I am not going to be forced out of San Francisco by splinter groups of radicals, social deviates and incorrigibles."

"Dan White will be with us forever," she said, closing the book. "History was made" when White killed Moscone and Milk.

"Not a very pretty history, but it did occur, and it will be with us."

At the same time, she said, "people don't realize we have to go on. Dan White has paid his dues under our system. So maybe people don't like the system. So let's do something about the system or whatever. But let's get on with life. I sincerely hope that Dan White can come out of prison and make a life for himself."

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(Indicate page, name of newspaper, city and state.)

Date: 1-4-84
Edition: 5 Star
1 S.F. Chronicle
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

Dan White's Plans After His Release

Dan White says he is in excellent health and spirits and has agreed to a state parole plan he is confident will keep him protected from the pursuing press and the public, according to two recent letters he sent from prison to a close family friend.

The letters, the first public indication of White's recent mood, portray a confident, clear-headed man, optimistic about his future. He blames "the news media" and unnamed groups described as "those people" and "certain people" for attempts to keep him in prison.

He said within the first week or so of his parole he will be "reunited" with his wife and two children, but it was not clear whether this would be on a permanent basis.

White is scheduled to be released on parole after midnight tomorrow (Thursday night).

White's two one-page typewritten letters, obtained by The Chronicle yesterday, were sent from Soledad State Prison in September and December.

According to the family friend who has corresponded regularly with White during his five-year term, White never sounded depressed during his entire imprisonment. White's letters are uniformly courteous and impeccably typed and spelled.

Nowhere in the two most recent letters does the 37-year-old former supervisor mention that he killed San Francisco Mayor George Moscone and Supervisor Harvey Milk five years ago. He writing is full of gossip about his two sons and his wife, Mary Ann, who has visited him about twice a month in prison and written to him frequently. He makes no reference to his prison environment.

White's letter was written on September 17, when legal attempts to have him prosecuted by the Justice Department for civil rights violations were building, and Governor George Deukmejian was being pressured to deny him parole.

Referring to those events, White wrote confidently: "I am in excellent health and spirits. Though it's a nuisance to hear reports about attempts to extend his sentence, I have no doubts that the final decision will be favorable to me."

"Certain people have a great deal of influence with the news media, and they are able to keep things stirred up. But in the end, everything will turn out just fine. Maybe one of these days I'll be able to be present at a family gathering. My future plans have not been finalized as yet, and there are many preparations to make."

In the September letter, White also told his correspondent — almost as though he had accompanied them — that his wife and his sons, Charlie, 5, and Rory, 2, spent a week at Lake Tahoe with my sister Nancy, her children and other family members.

"Nancy's in-laws own a spacious cabin, so there was plenty of room for the gang. Charlie and Rory had a wonderful time playing with their cousins, and swimming in the resort's pool."

At night, White said, the adults slipped away to the local casino for a little gambling, but didn't win anything.

"Charlie is experiencing his first days in a school environment," White continued. "Mary Ann wrote to say he's adjusting very well, and Rory returned to his special education classes." The Whites' son, Rory, who was conceived during a conjugal visit, was born retarded with Down's syndrome.

The letter's recipient said that White had described his son Rory in earlier letters as "lovable and very intelligent."

On December 20, a month after the Justice Department announced that it would not bring civil rights charges against him, White wrote a second letter looking forward confidently to parole, and blaming the news media for "inciting the anti-Dan White factions."

White wrote, "things have been somewhat hectic for me lately. Attempts by certain people to keep me in prison, and also have me prosecuted again have failed. Now the news media is agitating because my parole is imminent. They know I must be released, but they're intent on inciting the anti-Dan White factions. The California attorney general ruled my sentence couldn't be

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44C-2178-67

EXCERPTS FROM THE TWO DAN WHITE LETTERS

September 17, 1983:

arbitrary extended by Governor Deukmejian, and the Justice Department rejected the phony evidence submitted by those people in San Francisco.)

After indicating that news reports on his release plans had been inaccurate, White said: "An attempt has been made to find out where I am being paroled, but parole officials realize precautions must be taken in my case. The plan I've agreed to is one that will minimize any unnecessary hassles from the media or anyone else. I'm confident it will enable me to do my one-year parole without any problems."

Turning to family news, White continued, "Charlie and Rory are really excited about Santa bringing them presents. They're eagerly awaiting the BIG day. Mary Ann will bring them for a visit a few days after Christmas, and I'll hear all about the festivities. Two weeks later

White wrote that his wife and two children "... spent a week at Lake Tahoe with my sister Nancy, her children and other family members. Nancy's in-laws own a spacious cabin, so there was plenty of room for the gang. Charlie and Rory had a wonderful time playing with their cousins and swimming in the resort's pool." At night, White said, the adults slipped away to the local casino for a little gambling, but didn't win anything.

"Charlie is experiencing his first day in a school environment. (Mary Ann wrote to say he's adjusting very well) and Rory returned to his special education classes. I am in excellent health and spirits, though it's a nuisance to hear reports about (attempts to extend my sentence). I have no doubts that the final decision will be favorable to me. Certain people have a great deal of influence with the news media, and they are able to keep things stirred up. But in the end everything will turn out just fine. Maybe one of these days I'll be able to be present at a family gathering. My future plans have not been finalized as yet, and there are many preparations to make."

Love, Dan

December 20, 1983:

"Things have been somewhat hectic for me lately. Attempts by certain people to keep me in prison, and also have me prosecuted again have failed. Now the news media is agitating because my parole is imminent. They know I must be released, but they're intent on inciting the anti-Dan White factions. (The California attorney general ruled my sentence couldn't be arbitrary extended by Governor Deukmejian, and the Justice Department rejected the phony evidence submitted by those people in San Francisco.) ... An attempt has been made to find out where I am being paroled, but parole officials realize precautions must be taken in my case. The plan I've agreed to is one that will minimize any unnecessary hassles from the media or anyone else. I'm confident it will enable me to do my one-year parole without any problems. Charlie and Rory are really excited about Santa bringing them presents. They're eagerly awaiting the BIG day. Mary Ann will bring them for a visit a few days after Christmas, and I'll hear all about the festivities. Two weeks later we'll be reunited when I'm paroled. Isn't that a pleasant thought?"

Love, Dan

er we'll be reunited when I'm paroled. Isn't that a pleasant thought?"

The two letters give no specific indications about how he will be released from prison, or where he will go. He has already made plans to avoid the news media on Friday, his parole day.

"We have a specific request from White to structure his release so he's not confronted by an army of news people," state Deputy Corrections Director Phil Guthrie said yesterday. "We will structure it in such a way that you'll never be able to see him."

Guthrie would not say whether White has already been moved from

his cell at Soledad to another facility, and speculation is growing that he already may have been shifted.

Until Christmas, prison officials said that White was at Soledad, but in recent days they would not confirm or deny that White is still among the 160 inmates in the prison's protective custody wing.

"We're not going to say anything to anybody about when, where or what time," said Guthrie. "We could release him from any one of 100 different places."

Guthrie said that once White is released, the department will probably indicate briefly his general whereabouts in the state and wheth-

er he has a job lined up.

Mary Ann White's last recorded visit to Soledad was on December 21. Officials at Soledad said there was no record of the visit White said in his December 20 letter he was expecting from his family "a few days after Christmas."

State parole authorities have never revealed whether Mary Ann and the couple's sons will live with White during his one year of state supervised parole. However, San Francisco school officials said Mary Ann continues to work half-time, teaching kindergarten at a Treasure Island school, and has not indicated that she will resign in the near future.

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Gay Judges Memorial for Moscone, Milk

Memorial services were held yesterday for Mayor George Moscone and Supervisor Harvey Milk in the courtrooms of San Francisco's first avowed gay and lesbian jurists.

Municipal Court Judges Herbert Donaldson and Mary Morgan were both active in the gay rights movement before their appointments to the bench by former Governor Jerry Brown.

One of the speakers at the services, attorney John Eshleman Wahl, said it was appropriate that the memorials be held in the Hall of Justice, "because it was here that the assassin who robbed Harvey Milk and George Moscone of their lives received a gift from the criminal justice system."

Wahl, the lawyer for Milk's estate, led last year's unsuccessful drive to have Dan White tried by federal authorities for violating the civil rights of his two victims.

Lawrence Wilson, a gay lawyer for the Police Department who is gay, said Moscone probably would not have won the tight 1975 runoff election had it not been for Milk's efforts in rounding up gay and minority votes.

"Their lives were intertwined," said Wilson. "Both had a vision of the city that included everyone. Both worked for extra opportunities for women, gays, blacks and other minorities. As a gay man, I could not hold my job without their efforts."

In a call for restraint on the part of San Francisco's homosexual community, Wilson said neither Milk nor Moscone would wish "vengeance taken in their name."

"Whether it's divine retribution, karma or conscience, Dan White will have to live with what he did," Wilson said.

A third speaker was state Senator Milton Marks. He took credit for pushing legislation in Sacramento abolishing the diminished capacity defense, which led to the light verdict in White's case.

At day's end, both judges adjourned court in memory of the two men who were shot on Monday, November 27, 1978.

"This is fitting and proper," said Judge Morgan. "These were two people who were dedicated to equal rights."

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Classification:
Submitting Office: SF

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(Indicate page, name of newspaper, city and state.)

Date: 1-7-84
 Edition: 6 Star
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Classification:

Submitting Office: SF

Indexing:

Media's Dilemma Over Dan White's Whereabouts

By Charles Petit

The secrecy shrouded release of Dan White in Los Angeles County raises troublesome ethical questions for the news media: how hard to chase after him, and what to do if he's found.

With a real risk that someone may try to kill White, news managers at most major media outlets contacted by The Chronicle yesterday said they have already decided not to publish the exact location of White and his family if it is uncovered — at least, not before anybody else has publicized it.

But at least one television station — KGO-TV — said it expects to disclose White's location if it is found.

Involved are cloudy, emotional issues pitching the public's right to know against respect for personal privacy, plus arguments that, despite completion of a prison term, White's right to privacy died when he shot and killed San Francisco Mayor George Moscone and Supervisor Harvey Milk.

Most reporters and editors feel that, competition being what it is in the news business, White's location will inevitably be revealed.

At The Chronicle, Executive Editor William German said the editors will decide about publishing White's precise location "when and if we find out" where he is living. He added, however, that "we're not going to do anything that will endanger anyone's life or the public safety."

At the Los Angeles Times, whose circulation area embraces the region in which White is located, Craig Turner, assistant metropolitan editor, said the newspaper concluded "the criminal justice people think White is in danger, White thinks he is in danger, so our determination is that we will not provide his exact location."

At the San Francisco Examiner, City Editor Steven Cook said the paper has no intention of printing an exact

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address for White. "There is an ethical question here. I cannot imagine printing his address in the paper, or to say where he actually is," he said. "The people who would really want to know exactly where he is would be people who would want to do him some sort of harm. Why be a party to that?"

Several radio and television news operations have independently reached the same cautious conclusion.

"What's really tough about this," said Shelley Gerson, an assignment editor at KPIX-TV, Channel 5 in San Francisco, "is that we have had to stake out a lot of people for this story, but if we find out where he is, we can't say on the air. You can't say, because if something happens to him, it's the media's fault."

It was not clear how many news organizations were actively chasing White, and how many were simply waiting until the expected happens and his location leaks out somehow.

At news radio station KCBS, Managing Editor Edmund Cavagnero said, "We are not trying to find out where he is. I don't see how that makes a news story. Even if his address or exact location come out, we will not broadcast it."

At KRON-TV, Channel 4, Assignment Editor Thomas Newton said someone at the station briefly suggested planting a beeper on the bumper of Mary Ann White's car, but that idea was quickly abandoned. At KCBS, News Director Bob Melrose said the station wondered whether to "put a tail" on White's wife, "but we finally concluded that is ridiculous."

At KTVU-TV, Channel 2, News Director Fred Zehner said his station is not out searching for White. One crew was sent to Los Angeles, but mainly to get reaction to reports that White is settled there.

At KGO-TV, Channel 7, Executive Producer Stephen Rosenfeld said he favors broadcasting nearly everything his reporters uncover about White's new home.

He called White a public figure and compared his case to that of Archie Fain, recently released after serving a sentence for murder, whose life was also considered by some to be at risk if his location were widely known.

"We were at the prison door when Archie Fain was released after serving a number of years for an extremely heinous crime. A couple of days later, we reported he was living in the East Bay and starting over."

There was considerable discussion on airing the story on where he took up residence. Our decision was that, yes, in fact the public did have a clear right to know where Fain was residing. We had a journalistic obligation both to the people in that area and the audience we serve.

Even more determined to disclose White's address was Paul Lorch, editor of the Bay Area Reporter, a weekly that claims to be the biggest gay-oriented news paper in the nation.

"Yes, I would publish it," Lorch said. "My feeling is that the enormity of the crime, even though his prison price is paid, leaves a life price to be paid. He has forfeited his right to privacy."

Ben H. Bagdikian, a professor of journalism at the University of California at Berkeley, said the issue is not clear, but he favored withholding the location.

He acknowledged that once "you start down the road toward suppressing news to protect the public, you will find an awful lot of people telling you reasons not to present the news."

"But I also think that where there is a threat to life or an immediate, serious threat to public order, that you condition that principle. . . . In this case, I am not sure there is anything useful about printing his address."

"Even if you are beaten by the competition, and even if the cat is out of the bag, if you have held back you may establish a pattern of responsibility that may have good future effect."

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By Steve Ringman

Death Drama

A re-enactment of the slayings of Mayor George Moscone and Supervisor Harvey Milk was staged yesterday across the street from City Hall. Three actors wearing huge papier mache and cardboard busts of Moscone, Milk and Dan White pantomimed the assassinations in a show organized by Ed Gallagher, a 33-year-old carpenter. Gallagher said people were thinking more about White's release from prison yesterday than about the slayings. "It's the only way that I can get the point across," he said. "Nobody's thinking about the dead. They're thinking about what happened afterward. They lose sight of what happened."

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Big S.F. Protests Against Dan White

By Katy Butler and Randy Shilts

Thousands of San Franciscans took to the streets yesterday in non-violent but rowdy protests over the release of Dan White from prison.

A crowd of 9000 gathered last night on Castro Street, which had been closed to traffic for the rally. They heard speakers criticizing White's "outrageously short" five-year sentence.

Despite some vengeful signs and shouts, the mood of the nighttime protest was determined and almost cheerful, rather than furious.

Earlier, a throng of 5000 men and women surged through the streets of downtown San Francisco at midday, banging pots, blowing horns and blowing shrill police whistles.

Police, who maintained a low profile, reported no violence. There was friendly demeanor among the cops assigned to watch over the demonstrations, but not far away were dozens of other officers equipped with riot gear in case the situation turned ugly.

The protests, ignored by established gay leaders, were larger than their organizers had expected, and to many participants were an oddly fitting tribute to the memory of slain Supervisor Harvey Milk, who loved a good demonstration.

"As a gay man, I celebrate because Dan White could not murder our movement by murdering our

friend," organizer Don Montwill told the crowd on Castro Street last night.

From the speaker's platform just up the street from where Harvey Milk once ran a small camera store — the crowd shouted lustily as speakers invoked the name of the slain gay rights leader and warned of vengeance on his now free killer.

The most cathartic outburst of emotion came when thousands

gathered at Union Square yesterday afternoon. People held signs reading "Eat a Twinkie, Beat a Rap" — a bitter reference to trial testimony that sugary junk food contributed to White's mood before the killings.

"Why's it so quiet? The son of a bitch got out of jail this morning!" shouted a long-haired, leather-jacketed man, and the demonstrators exploded in a cacaphony of shrieks, whistles and shouts.

Then speakers shouting through a bullhorn took a thin line between calling for renewed gay political activity and encouraging violence against Dan White.

"Today, he starts a life sentence, and I'm sorry to say, it won't be a long one," said Jack Fertig, better known as Sister Boom Boom. "Dan White, this is 1984 and Big Sister is watching you."

Feminist attorney Mary Dunlap pleaded with the crowd to turn its anger toward creating a society where "people like Dan White" would never assume positions of power.

"We dwell in the shadow of the killings, with the blood he spilled on all of us. But we demean ourselves if we join in his call for blood. We become our enemy by continuing the chain of violence that Dan White started," she said, while scattered hecklers shouted for revenge and an effigy of White in black and white prison stripes was hoisted up a flagpole.

Then the organizers led the crowd out of Union Square and down Post Street, stopping traffic for four blocks.

Many Financial District workers out of their offices for lunch stood and watched, and some applauded. Men in business suits and fashionably dressed women swelled the ranks, blowing whistles along with hundreds of others in jackets and jeans. Others threw calendar pages from highrise windows like

Date: 1-7-84
Edition: 6 Star
1 S.F. Chronicle
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Classification:

Submitting Office: SF

Indexing:

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confetti.

One businessman watching the march said quietly, "There are so many people in the city that feel the injustice, and they're crying inside. It just brought back to me that the whole world seems to have forgotten Moscone. I'm a fifth-generation San Franciscan, and today, for the first time, when I walked the streets, I felt alone. Maybe it's just something that's happened living with these crazy murders."

Some spectators, including construction workers on scaffolds, simply looked bemused as the pande-

monium of noise moved by. Hard-hatted Jerry Carlson, taking a break from construction on Montgomery Street, shrugged and said, "I think they're a bunch of lunatics. He shouldn't have gotten away with it, but these guys don't have any more brains than he did."

Meanwhile, 150 people briefly blocked traffic at 18th and Castro streets. About 20 people then walked to Market Street and sat down, blocking traffic for half an hour.

It was an intense day of protest and a time to remember and pour out feelings of frustration and rage.

By the time the last rally was dispersing at 10 last night on Castro Street, many of the protesters said they were ready to put the Dan White case behind them.

"To me this is a way of saying farewell to Harvey," said Arthur Corbin, 34, a manufacturer's representative for an electronics firm. "It's over now."

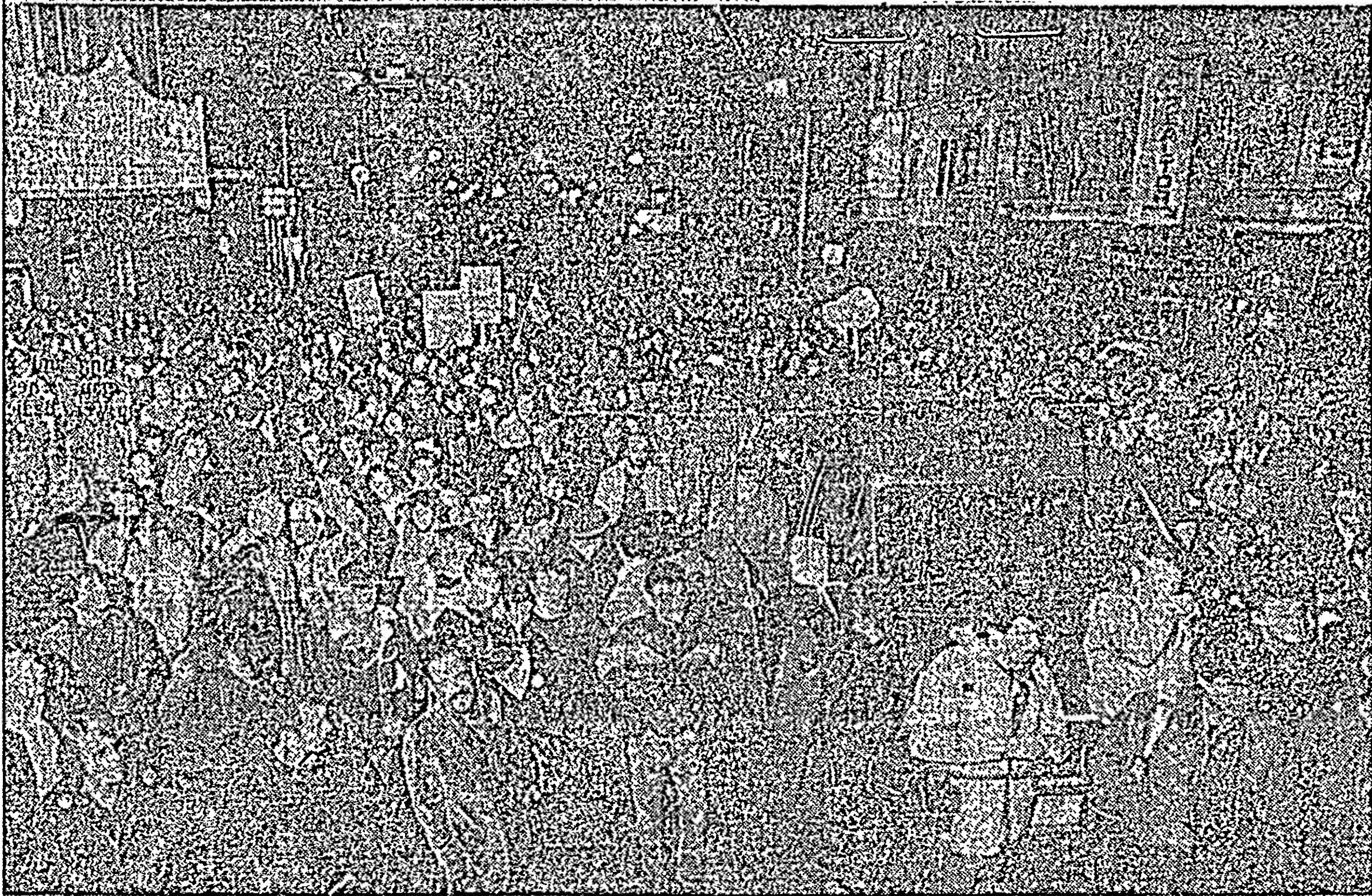
His friend, computer programmer Ron Wickliffe agreed. "It's sort of a wake," he said. "This is a celebration of it all becoming final. It's time to move on to other things."



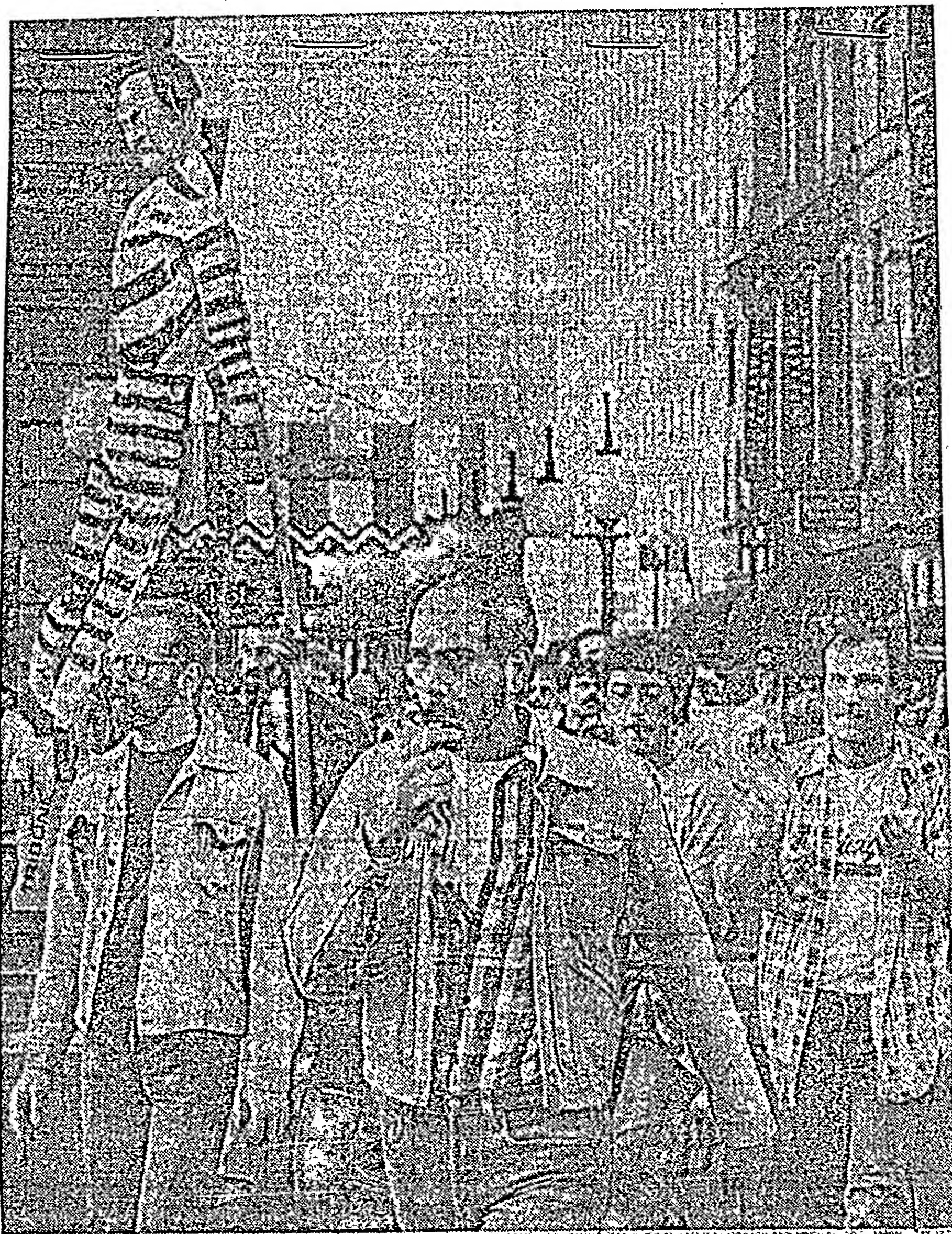
Protesters thread a banner as they marched up California Street during the lunch hour.

By Susan Gilbe

Thousands Protest in S.F.



By Mike Malone
Thousands of demonstrators gathered on Castro Street, which was closed to traffic during a rally protesting the release of Dan White.
There were also protests in the Financial District at noon.



By Peter Breinig

Protesters blew whistles, clapped their hands and carried an effigy of Dan White in prison stripes

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 Edition: 6 Star
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 San Francisco, Ca.

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Classification:

Submitting Office: SF

Indexing:

Dan White Released Into L.A. County

Parolee To Look For a Job

By Susan Swartz

Dan White was released by the state yesterday to live in the sprawling anonymity of Los Angeles County, home to almost 8 million people spread over 4000 square miles in 81 cities.

With the \$200 in "gate money" that the state gives each new parolee in his pocket, White spent the day looking for housing and found temporary quarters he can rent day by day.

Los Angeles parole officials said White would be reunited soon with his wife, Mary Ann, and two young sons, and in "all likelihood" the family will live with him during his one year on state-supervised parole.

Marshall Lundsberg, deputy regional administrator for the parole system in Los Angeles County, said White and the parole staff will discuss job prospects for the former fireman and policeman next week.

State officials, stressing the security risks of the case, refused to pinpoint the community where White will live within the county,

which encompasses everything from the vast city of Los Angeles to small high desert towns such as Bear Blossom.

But Los Angeles Police Commander William Booth said White's location "probably is the city of Los Angeles" — home to 3 million people. Many public officials and leaders of the city's large gay population reacted angrily to the announcement that Los Angeles will be the home of the 37-year-old killer of San Francisco Mayor George Moscone and Supervisor Harvey Milk.

White began his journey to Los Angeles — after about five years in prison — at 4:30 p.m. Thursday when he was whisked out of the gates of Soledad State Prison in Monterey County, ducking down in an unmarked state car driven by prison staff. The move took place during a busy shift change when numerous cars passed through the prison gates, and it went unnoticed by the cluster of reporters hoping to catch a glimpse of White being released.

White, who was wearing his own clothing rather than blue prison garb, was driven to Tehachapi State Prison in Kern County, and there he was freed yesterday at 8 a.m.

After months of agonizing by parole planners, in the end it was Los Angeles County's sheer size and the number of employment opportunities there that made it the choice.

"I suspect the thing that looked good about Los Angeles County was

its size," said parole administrator Lundsberg.

"It could be, too, that he'll choose to go under an assumed name and may make some minor modifications in his personal appearance, all intended to maintain his privacy and anonymity," Lundsberg said.

White's job plans for his year of parole were unsettled yesterday because authorities felt White would succeed best if he had a chance to voice his own preferences for work rather than face a set, state-dictated plan. "It wouldn't make sense to put him into a Mickey Mouse job that

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would last for a week or 10 days, particularly when we have a man that could be self-sufficient, probably with family support, Lundberg said. White will be paying for his own housing on parole.

The kind of employment skills he'd had in the past wouldn't do — politician, fireman, policeman — and although an unskilled, minimum-wage job was available for White if that option were sought, Lundberg said his office decided to wait. White had long harbored a wish to serve his time on parole in his

hometown, but officials said yesterday he came to realize that was an unrealistic option, given the anger in San Francisco over his light sentence and the chance he would be killed.

White's placement in Los Angeles County took Mayor Tom Bradley and numerous other public officials by surprise and set off a flurry of angry reaction.

"I had not been notified in any way that Los Angeles was being contemplated as the site for White's parole," Bradley said in a statement issued by his office. "I raised strong objections to Dan White's release in the city of Los Angeles in a conversation" with state prison officials.

Bradley's office said that Los Angeles Police Chief Daryl Gates was told three days in advance that White was going to be released in the Los Angeles area. "Chief Gates told the mayor (yesterday) the information just didn't register and apologized for not notifying the mayor," a representative for Bradley said.

Los Angeles County Supervisor Kenneth Hahn, complaining that it was "outrageous" that White had received only a voluntary manslaughter sentence for two killings, suggested "If Dan White had to be paroled, then he should have been sent to a monastery behind closed walls for a life of solitude and service."

In Los Angeles' gay community, which numbers in the hundreds

of thousands and is one of the nation's largest — Don Kilherner, the deputy director of the Gay and Lesbian Community Service Center, said "most of the anger I pick up from gay people is about the miscarriage of justice — that someone was involved in premeditated murder, the assassination of two public officials, and five years later he's walking the streets of L.A."

"If he had been black, poor and not an ex-conv, the chances are very good he'd be spending another 15 to 30 years in prison. That's the feeling I'm picking up, not a vindictiveness against Dan White as a person."

The Rev. Troy Perry, founder of the predominantly gay Metropolitan Community Church, said the decision to place White in Los Angeles was insensitive because of the area's large gay population. He said it "would make us all feel better" if White would apologize for the slayings.

Police Commander Booth said the department was not expecting any security problems because White is living in the area. He ad-

ded, "I think exaggerated speculation that someone's life is in danger because the gay community might have reason to dislike him is doing a disservice to the gay community. I don't have any indication that, because of their sexual preference, gays are any more murderous than any other segment of the community."

It was learned yesterday that Los Angeles parole officials were first asked by their state headquarters in Sacramento to prepare a parole plan for White about six months ago — as were the other

regions of the state.

Los Angeles finished its plan after about three months, but state officials said the decision to send White to Los Angeles was only made within the last two weeks.

Phil Guthrie, deputy prison director, said "We tried to place him in one other state but they didn't want him. The other state thought it was too hot a case to get into, and we felt we would have the same problems wherever we went. Anyplace we decided to put him we were going to generate protest."

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Dan White, Wife Together in L.A.

By Randy Shiltz

Dan White was joined this weekend by his wife, Mary Ann, in the Los Angeles motel where the convicted assassin of Mayor George Moscone and Supervisor Harvey Milk spent his first three days of freedom, parole officials said yesterday.

The couple will begin looking for permanent housing today, said Marshall Lundsberg, deputy regional administrator of the parole system in Los Angeles. Lundsberg said he did not know if White's two sons had also joined their father in Southern California.

After permanent housing is found, White will meet with parole agents to discuss parole options, Lundsberg said. He said that like many other parolees, White might choose to enter some kind of retraining or schooling program rather than take a formal job.

White's presence in Los Angeles continued to stir controversy throughout the weekend. Tomorrow night the Los Angeles Police Commission is slated to take up a request by City Council President Joel Wachs for an investigation into why Police Chief Daryl Gates did not tell elected officials of White's release there.

In an emotional press conference Saturday, Wachs, an outspoken supporter of gay rights, raised the question of whether Gates and others in the department "might share the same anti-gay, anti-liberal feelings that some believed helped Dan White" get only a five-year sentence.

Gates dismissed the charges as

Parole officials
said they didn't
know if White's
two sons had joined
their parents

"nonsense," saying his secretary had told him of White's parole plans but that "it just didn't register."

Parole official Lundsberg said yesterday that the issue of whether White lives within the City of Los Angeles, or somewhere in sprawling Los Angeles County, remains "entirely open."

He said that he told both the Los Angeles Police Department and the county sheriff's office three days before White's release White "probably" would be coming to the county. They were told the decision was definite on Friday morning, he said, the day White was given his \$200 walking money and his first day of freedom since the City Hall assassinations in November 1978.

(Indicate page, name of newspaper, city and state.)

Date: 1-9-84
Edition: 6 Star
3 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

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Classification:

Submitting Office: SF

Indexing:

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SERIALIZED <i>MS</i>	FILED <i>ea</i>
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44C-2178-73

FBI/DOJ

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Parole Location**Two L.A. Votes
Against Dan White**

By Randy Shilt

The Los Angeles City Council and the Los Angeles Police Commission voted overwhelmingly yesterday to ask authorities to move Dan White away from the greater Los Angeles area.

The actions appeared to have little effect on state corrections officials, who said they would not relocate White unless ordered to do so by Governor Deukmejian. An aide to the governor said Deukmejian would not intervene.

Councilman Joel Wachs, who represents the heavily gay Hollywood Hills neighborhood, sponsored the resolution asking for White's expulsion from Los Angeles — although authorities have said only that White was released in Los Angeles County, and have not specified whether it was in the city of Los Angeles.

"We've got the same variables here — liberal politicians and a large gay community — that he didn't like in San Francisco," said Wachs. "I have no intention of letting this issue drop."

The council approved Wachs' resolution on a 12-to-1 vote.

Later, yesterday, Wachs and members of the newly formed Committee for Dan White Out of Los Angeles went to the Police Commission hearing, where Wachs questioned Los Angeles Police Chief Daryl Gates about the department's role in the decision.

Wachs and many gay leaders said the department, which often finds itself at odds with both gays and liberal politicians, may have

wanted White released in Los Angeles as a way to needle the department's longtime foes.

Gates said that he had no influence in the decision about White's parole site, but that he would investigate within the department to see which other police officers may have had access to information about White's release and could have alerted officials. Gates also said he was distracted when told of the decision to release White in Los Angeles County last week and that it didn't register.

Phil Guthrie of the state Department of Corrections said local police did not encourage White's release in Los Angeles. "We called them up and said what we had planned, but they didn't really have any role in it beyond that," said Guthrie.

The City Council resolution, Guthrie said, would get a "courteous response," but he added, "We do not have any plans to reconsider his parole placement. Barring instructions from on high, that would be the governor, we wouldn't change it. We feel the best place for him is Los Angeles County."

Deukmejian press aide Larry Thomas said the governor, whose Long Beach home is in Los Angeles County, would not get involved in the dispute.

"It was our understanding that the decision was reached not on a political basis but on a professional basis of what would be best for the prisoner and for society," said Thomas. "We don't want to second-guess what professional people in corrections have been doing for years."

Gay leaders have planned protests against White for tomorrow night and Saturday in Hollywood.

"This issue isn't going to go away as far as we're concerned," said Lillene Fifield, a leader of the anti-White committee. "It's a crying shame when the state's political leadership won't listen to the voice of the people."

Meanwhile, parole officials have adopted a new policy of not commenting on White, who enjoyed his fifth day of freedom yesterday after serving almost five years in prison for killing San Francisco Mayor George Moscone and Supervisor Harvey Milk. "We're not going to give any day-by-day account of his activities," said Guthrie.

(Indicate page, name of newspaper, city and state.)

Date: 1-11-84
Edition: 6 Star
4 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

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FBI — SAN FRANCISCO	

44C-2178-74

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: 1-10-84
 Edition: Final
 B2 S.F. Examiner
 San Francisco, Ca.

Title:

S.F. EXAMINER Tuesday, Jan. 10, 1984

San Francisco Examiner

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Classification:

Submitting Office: SF

Indexing:

Editorials

Let's put Dan White behind us

THOSE WERE HARD days for San Francisco last weekend when the killer of Mayor George Moscone and Supervisor Harvey Milk went free from prison. It was a shameful performance of justice that allowed him to walk out of Soledad just a little more than 5½ years after the prison doors had closed on him.

Given the magnitude of the injustice, it was neither surprising nor lamentable that thousands of San Franciscans demonstrated last Friday in passionate revulsion at the release. Most of these were members of the gay community, for whom the killing of Harvey Milk, especially, is a hurt that never will heal among those who remember him and share his commitment to the rights and interests of that community. George Moscone's buoyant smile and warm handclasp were recalled as well in the somber thoughts upon Dan White's brief incarceration.

The demonstrations on Friday were, for the most part, reflections of melancholy and a solid resolve not to allow any eventual victory for the violent and bigoted thinking represented by White's despicable acts. Physically, the gatherings were restrained properly despite their size.

Verbally, though, there were excesses, in a few cases, to the point of disgusting spectacle that bespoke violence instead of putting it to the

condemnation it deserves. Hanging an effigy of Dan White, and cheering at careless talk of physical vengeance against him, were unworthy of the spirit that is needed in a city which has seen all too much of revenge on the prowl, even as White prowled into City Hall that awful day with his pistol.

But most people in the crowds knew this redeeming necessity, we believe, and one speaker at a Friday rally brought it down to a few brilliant words. A feminist attorney, Mary Dunlap, said in essence that the need is to improve society so that the Dan White mindset will not ascend to a position of power any more. And she stated further:

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"We dwell in the shadow of the killings, with the blood he spilled on all of us. But we demean ourselves if we join in his call for blood. We become our enemy by continuing the chain of violence that Dan White started."

This is the advice for a civilized society that sets its hope upon the rule of law rather than the rule of the gun. Wherever he may be, in anonymity or otherwise, Dan White will suffer, and his family will suffer for his deeds. Vengeful thoughts should have no place in anyone's thinking now. Let us put this mournful chapter behind us, remembering its lessons while refusing to dwell upon hate.

The fact is that the system of justice failed in this city in 1979, when White got off easy, because of loose law which had been invented beforehand by over-imaginative judges. Some of the latter had seemed intent upon expanding the scope of defendants' rights no matter how much damage was done to the principle of determining actual guilt or innocence. The White case has, we think, helped to shock society into curbing this too-generous law in California (the Legislature has acted and some courts are being more careful, it seems).

San Francisco has, of course, paid for this in too much sorrow. Let us meditate now on life and the future, rather than death and the past.

(Mount Clipping in Space Below)

L.A. groups demand ouster of Dan White

Special to The Examiner

LOS ANGELES — The City Council, the police commission, gay rights organizations and an ad hoc group called the Dan White Out of L.A. Committee have demanded the ouster of the paroled killer who was released here.

Several elected officials for the city and county announced their opposition within hours of White's parole Friday.

Their outrage rose yesterday after a series of meetings in which emotional debate about the man convicted of the 1978 assassinations of San Francisco Mayor George Moscone and The City's first self-avowed gay supervisor, Harvey Milk, overshadowed regular business.

Denouncing White as a "cold-blooded killer" and his release as "an insult to the people of Los Angeles," Councilman Joel Wachs introduced a motion calling for the council to demand that the state Corrections Department relocate White.

"It is grossly inappropriate for (White) to be released in an urban environment with characteristics similar to the environment that gave rise to his case in the first place," Wachs said.

Wachs cited the safety of White and of citizens and public officials as the reason against having the former San Francisco supervisor spend his year of parole here.

Wach's motion and a similar one introduced by Councilwoman Peggy Stevenson were approved 12-1 by the council. The city's police commission voted 4-1 to join the council's demand.

Wachs and Stevenson's San Fernando Valley districts include gay communities in Hollywood, West Hollywood and Silverlake.

White, 37, was paroled after serving five years of a seven-year, eight-month sentence for voluntary manslaughter.

Fearing for White's safety, corrections officials refuse to pinpoint his whereabouts. He was reunited with his wife and his relatives last weekend, and spent the earlier part of the week hunting for a house and mulling over his job plans.

He is not to leave Los Angeles County without permission of parole authorities and has been barred from visiting San Francisco.

Police yesterday said they have had no requests to provide special protection for White. But the issue of having to provide White security if the need arises is another source of anger for some of Los Angeles' leaders.

Phil Guthrie, corrections department spokesman, yesterday said authorities will "certainly give (the demands from Los Angeles officials) all due consideration and respect. But we currently have no plan to move Dan White."

Guthrie said a similar answer was given to San Diego's civic leaders when they protested the corrections department's previous plan to parole White there. He declined to speculate on the outcome of the demand from Los Angeles.

Much of the anger surrounding White's parole here is based on the lack of notice to city officials.

"We believe we could have stopped it, or could have had a good shot at it, if we had been notified," Wachs said.

(Indicate page, name of newspaper, city and state.)

Date: 1-11-84

Edition: Final

B7 S.F. Examiner
San Francisco, Ca.

Title:

Character:

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Classification:

Submitting Office: SF

Indexing:

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FBI — SAN FRANCISCO	

44C-2178-712

FBI/DOJ

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State officials deny lawyer's 'Dan White in Bel-Air' story

By Lance Williams

Examiner staff writer

State prison officials today denied an Orange County lawyer's report that paroled killer Dan White is living in a film producer's mansion and working on a book and screen play.

Helen Krogh, information officer for the Board of Corrections, said White's parole plan did not give him permission to live in a mansion in Los Angeles' posh Bel-Air district and said his approved "primary occupation" is not working on a book and film project.

E. Marshall Lundsberg, an administrator in the parole board's Los Angeles office, also denied the report.

"He's doing a low-profile parole in L.A. County," Lundsberg said. "He's not living in Bel-Air and to our knowledge he's not doing any writing."

As they have since White was paroled from prison last month, the officials refused to say where White is living or what job he holds. White was convicted of manslaughter in 1978 for killing San Francisco Mayor George Moscone and Supervisor Harvey Milk.

The account of White's supposed whereabouts came from Jeffrey Walsworth, attorney for the "Citizens Protection Association," a group that offered a \$10,000 reward for information that would enable them to locate White.

Walsworth said an unnamed member of the group met with White recently in a Los Angeles restaurant and at an "exclusive home" that belongs to an L.A. producer in Bel-Air.

The lawyer said White is living with the producer free and in the company of bodyguards while he finishes a book for which he has received a \$50,000 advance — and while attempting to negotiate a movie contract.

Walsworth said a "binding agreement" between his client and White bars him from providing information that might reveal White's whereabouts, the name of the producer, the name of the book publisher or the name of the person asserted to have visited White.

Walsworth said that as a result of his client's meeting with White, the group canceled its reward offer and disconnected the telephone "hotline" set up in connection with the effort.

Walsworth said a man identifying himself as White phoned him shortly after the group offered the reward and asked to meet with the organization to persuade them to drop efforts to find him.

Walsworth said the caller was asked to phone back and on the second call convinced them of his identity by answering "personal questions," including the name of the obstetrician who delivered his older son.

At the meetings, Walsworth said, White showed the client finished chapters of his book and said he was planning to change his name. The client described White as resembling only in general terms the five-year-old photos of the killer that were published in local newspapers when he was paroled.

Walsworth said White agreed to inform his neighbors where he was living, which, according to the lawyer, was the goal of the group when it posted the reward. In return, Walsworth said, the client agreed to cancel the reward offer and do nothing to reveal White's whereabouts.

Scott Smith, the former lover of Supervisor Milk, said today that he and lawyer John Eshleman Wahl have asked the state attorney general's office to investigate whether White is attempting to use a book and film to profit from his crimes.

"It would be horrible if it's true," Smith said.

According to a new state law, money White might earn from a book or film about his crimes would be tied up in a trust account for as long as five years. During that time, survivors of Moscone and Milk could sue.

(Indicate page, name of newspaper, city and state.)

Date: 2-15-84

Edition: Final

A12 S.F. Examiner
San Francisco, Ca.

Title:

Character:

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Classification:

Submitting Office: SF

Indexing:

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44C-2178-77

FBI/DOJ

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Dan White Writing Memoirs in Bel Air Mansion

By Edward Iwata

Dan White is reportedly living with his family and writing his memoirs at a movie producer's mansion in the wealthy Los Angeles community of Bel Air, an attorney said yesterday.

The former San Francisco supervisor and police officer also reportedly expressed remorse for the first time over the 1978 slayings of George Moscone and Harvey Milk, the attorney stated.

Jeffrey Walsworth, an attorney for a group of prominent Orange County businessmen, who last month offered a \$25,000 reward in an attempt to locate White, said one of the businessmen met with White recently at a Los Angeles restaurant and at the Bel Air mansion.

At the meetings, White proved his identity by responding to 15 personal questions, such as his wife's maiden name, his grammar school in San Francisco and the name of the Soledad inmate he was released with on January 6, Walsworth said.

A spokesman for the Los Angeles Police Department's West Los Angeles station, who declined to be named, said, "There's no truth to it — he's not living here. Someone in Orange County is telling you a lie. They (the state Department of Corrections) would have told us about it if he was here."

However, an LAPD detective said it was possible that White could have been placed in Bel Air without the local police station being notified.

During interviews yesterday with reporters from KABC-TV and City News Service in Los Angeles, attorney Walsworth said that White "moves his residences from time to time ... how long he's been living (in Bel Air) I don't know. I'm not even certain he's there today."

Walsworth said the Bel Air mansion is owned by a Hollywood producer, who is allowing the White family to live there

rent-free until he returns from Europe in six months.

A publishing house has reportedly paid White an advance of \$50,000 to write a book about his experiences. The film producer reportedly owns the book rights, according to Walsworth.

Walsworth released sketchy details about White, saying that he was "sworn to secrecy" by the Orange County businessmen.

"(White) stated he was regretful about the incident," said Walsworth. "A lot of people didn't realize it, but this would be something that would be chained to him the rest of his life, and that he would have to live with — it would always cause him inner turmoil."

White also reportedly acknowledged that his five-year sentence "was very lenient," Walsworth said.

The attorney said White blamed "loopholes created in the system, not by him, but by other people, and that any citizen would have taken advantage of those loopholes if they were in the same spot as he was."

Walsworth said that White said he "intends to ultimately return back to his home ... that nobody would stop him from returning. But he was going to wait until he felt that it was safe to do."

Supervisor Harry Britt reacted with disgust at that suggestion yesterday, saying, "Dan White can no longer consider himself a San Franciscan, and I don't think the day will come when he'll be welcome."

"The idea of Dan White living in luxury and planning to benefit from what he did is offensive," Britt added. "Anyone considering a film exploiting the tragedy would be acting in bad taste and find strong political resistance."

White may not be able to retain the earnings from either a book or a movie. Under a law that took effect January 1, criminals who sell the story of their

(Indicate page, name of newspaper, city and state.)

Date: 2-15-84
Edition: 6 Star
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San Francisco, Ca.

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Submitting Office: SF

Indexing:

crimes are required to put the profits into a trust fund for five years. The trust fund would benefit the victim or major heirs to the victim's estate who file lawsuits in the case.

"(Dan White) was the motive for the bill because there were rumors that he was already writing book in prison," Assemblyman Art Agnos said last night.

The author of the law added, "It gives me grim satisfaction that my legislation will take the profits out of any kind of books, movies or other material Dan White attempts to create and sell."

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Chief under fire over Dan White

By The Tribune staff and news
services

LOS ANGELES —
City Councilman Joel
Wachs called Saturday
for a probe of Police
Chief Daryl Gates' fail-
ure to tell the council
and Mayor Tom Bradley
that convicted killer
Dan White would be pa-
roled in Los Angeles.

Wachs also asked the
civilian Police Commis-
sion to investigate
whether the Police De-
partment encouraged
the release Friday in
Los Angeles of White,
convicted of voluntary
manslaughter in the
Nov. 27, 1978, shooting
deaths of San Francisco
Mayor George Moscone,
49, and Supervisor Har-
vey Milk, 48.

The councilman
called for a Police Com-
mission investigation,
saying there is a wealth
of "speculation" about a
possible motive includ-
ing a desire "simply to
help out friends in law
enforcement who were
in a bind."

Wachs said that
"many people" he has
talked to think that
Gates may want to en-
hance the image "that
the macho LAPD can do
what no one else can,"
(protect White) and that
Gates and others in the
department "might
share the same anti-gay,
anti-liberal feelings that
some believe helped Dan
White" to get a five-year
manslaughter sentence
instead of a murder con-
viction.

(Indicate page, name of
newspaper, city and state.)

Date: 1-8-84
Edition: Final
A-5 The Tribune
Oakland, Ca.

Title:

Character:

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Classification:

Submitting Office: SF

Indexing:

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L.A. gays warn White to stay away

Los Angeles Herald-Examiner
LOS ANGELES — The Los Angeles gay community reacted swiftly and vehemently to the news of Dan White's release, expressing disbelief and outrage.

Most activists agreed that, given the size of the gay and lesbian community in Los Angeles and the virtual unanimity of bad feelings against White, they could not rule out the possibility of violence against him if his exact whereabouts were revealed.

"I can assure you that no gay organization will go out of its way to find out where he lives," said the Rev. Troy Perry, founder of the Metropolitan Community Churches, the largest and most active church for gays and lesbians in the state.

"But I would hope Mr. White would stay away from Hollywood, West Hollywood, Silverlake or any other areas where there are gay communities, because emotions are running very high."

To some gay activists, moving the former San Francisco supervisor and convicted assassin to Los Angeles was a personal affront.

"I was shocked," said Perry. "I think it's very insensitive. If they're trying to say that the gay community here doesn't have the emotional feelings (about White) that it does in San Francisco, they're dead wrong."

For many gays, Perry said, the frustration sparked by the murders, White's subsequent conviction, and sentencing on reduced charges of voluntary manslaughter, and the fact White has never expressed any remorse for his actions, has never diminished.

White's release alone — regardless of where — had caused emotions within the community to be running very high, according to Conrado Terrazas, co-founder of the Southern California Harvey Milk Gay and Lesbian Democratic Club, a political organization formed in 1980 after the San Francisco group.

"I thought they would put him in a rural or less populated area," he said, adding that Los Angeles "did not seem like a sensible place to release him (White)" because of the large gay and lesbian community.

Elizabeth Nonas, a board member of the Municipal Elections Committee of Los Angeles (MECLA), the largest political action committee concerned with gay, lesbian and women's rights, said White's move to Los Angeles had spawned "concern among the community and fear of backlash."

Newton Deiter, director of the Gay Media Task Force, termed the release of White in Los Angeles "absolutely appalling."

Date: 1-8-84
Edition: 4 Star
S.F. Sunday Examiner
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Classification:
Submitting Office: SF

Indexing:

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(Indicate page, name of newspaper, city and state.)

Date: 1-8-84
 Edition: 4 Star
 S.F. Sunday Examiner
 Pg. A2
 Title: San Francisco, Ca.

Character:
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 Classification:
 Submitting Office: SF

Indexing:



Let's forget Dan White

DAN WHITE'S original plan to spend his year's parole in San Francisco illustrates the impact of five supposedly sobering years in prison: none. Only an insensitive, immature clod would seek such a quick return to the still-heated scene of his crimes. The state Corrections Department knew better and properly exiled White to Los Angeles, where many better souls than his go to die. While he's serving his year in halfway house purgatory, let's do something far more noble than anything he could do: Let's just forget him, write him off, let him rot unnoticed on the compost heap of history.

This is a very difficult challenge. The media paroxysm that greeted White's imminent parole this week illustrates the long shelf life of our resentment toward him. In most other celebrated crimes, there's flashbulb-cluster publicity at the trial, a long period of snoozy forgetfulness while the world turns to other matters and then, much later, a revival of nostalgic interest when the criminal is finally released from prison.

In White's case, however, his crime and our outrage seem as fresh as yesterday. Interest in his prison life never waned; there was never a period when someone not in touch with the news could ask, "Who's Dan White?" Now, with his release,

White is the focus of scrambling media scrutiny usually reserved for Princess Diana or Koo Stark.

Dan White may have left prison as cocky, resentful and twisted as the day he entered it. The San Francisco world he left behind, however, has changed quite a bit in the past five years. Much of that change has been positive, and much of it developed in defiant reaction to White's deed. If anything beneficial can be gleaned from his killings of George Moscone and Harvey Milk, it is the survival and growth of the very principles Dan White tried to murder with his bullets.

I SUGGEST WE drop our interest in Dan White, the man — who seems as truly interesting as a loaf of white bread with the crust cut off — and invest our worthy feelings in perpetuating that which he sought to end: the loving integration of new elements into the mix of San Francisco life.

White's November 1978 shootings of the mayor and the supervisor were the culmination of changes

in San Francisco that began 15 years earlier. From a small, sleepy, self-contented city of moderate white homeowners, in just 15 years San Francisco became an international mecca for the politically and personally disenchanted. They came by the thousands.

Easterners seeking wider emotional plateaus, young people in search of some ineffable Western truth, Asian immigrants barely clinging to survival, gays looking for a city where they could simply be themselves.

The embattled residents found themselves under attack on several fronts. Blue-collar jobs disappeared as San Francisco moved toward a service economy. Housing values zoomed out of reach as white collars drove out blue. Social conservatives were horrified as gay people demonstrated their affection in the streets and Asian immigrants refused to adopt English.

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All of this changed The City drastically. San Francisco was no longer a little fog and sun-kissed city of small white houses tumbling down hills to the Bay. This fact was brought home in stark terms the week before White shot Moscone and Milk. That week, Thanksgiving week 1978, the awful truth about the San Francisco-based Peoples Temple came out. As the days passed, we learned that nearly 1,000 people had died in steamy Guyana.

THE VOLLEY OF gunshots that ended the lives of George Moscone and Harvey Milk brought a vivid chapter of San Francisco history to a close. Those shots signaled the end of one revolution and the beginning of another. White's act transformed a set of festering, subterranean resentments into an open agenda for a city's reunification.

In a way, White's light sentence for manslaughter bound the various factions of San Francisco together. If the book had been thrown at Dan White, his sympathizers among the embattled natives might have turned their attention away from the real issues and toward the severity of his sentence. How can cop-killers get a few years in jail while our boy Danny gets sent up for life?

When White got off easy, it removed the issue of crime and punishment from central focus. Everyone but the most extreme reactionary fringe was then forced to look at the other issues, the issues for which Moscone and Milk were killed.

Only a hopeless Pollyanna would say that San Francisco now offers a completely warm invitation to the people Dan White tried to evict with his gun. But the five years since his crime have witnessed a stunning political and social integration of the gay community, a gradual acceptance of minorities and women by the police and fire departments, and the growing involvement of immigrant groups in The City's decision-making process.

Not only did White fail to halt these advances, his killings provided inspirational martyr figures to motivate those who champion the causes he hated.

Dan White is free from jail, but he'll never be free from the stigma of what he did. Let's leave him alone to live his life as a pariah. Instead of hating White, let's love George Moscone, Harvey Milk and, yes, ~~ourselves~~ yes, for what San Francisco has accomplished since that dark, dark Monday in November.

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Date: 1-8-84
Edition: 4 Star
S.F. Sunday Examiner
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Classification:
Submitting Office: SF

Indexing:

Dan White's first weekend of freedom in L.A. motel

By Jim Wood and Ivan Sharpe, Staff Writers
Dan White is spending his first weekend of freedom in a Los Angeles motel, facing a year of living and working in a city with a huge population of gays who are already expressing outrage at having the killer of San Francisco's mayor and a gay supervisor in their midst.

State parole officials said White's wife Mary Ann is likely to join him this weekend. The blinds were drawn at the White home in San Francisco yesterday, and no one answered the door.

White has not assumed a disguise, according to Department of Corrections spokesman Phil Guthrie. But Marshall Lundsberg, deputy regional parole administrator in Los Angeles, said yesterday, "I'm certain he is seriously going to consider using an assumed name."

White released 8 a.m. Friday after a secretive transfer from Soledad state prison to Techachapi prison that fooled waiting reporters. Reportedly, he does not have a job lined up.

Lundsberg said he believes White was only told Thursday at the same time Lundsberg was informed that he was to be paroled in sprawling Los Angeles County.

His exact whereabouts is being kept secret because of fears of harassment or violence, but law enforcement sources indicate he will live within the Los Angeles city limits, an area with a population of 3 million.

The last-minute decision to place White in Los Angeles aroused anger among city leaders and gay activists yesterday.

Mayor Tom Bradley registered a strong protest, saying, "I had not been notified in any way that Los Angeles was being contemplated as the site for White's parole."

And City Councilman Joe Wachs, a gay rights activist, demanded an investigation into Police Chief Darrell Gates' failure to notify city officials of White's impending arrival.

A spokesman for the mayor said the police chief was told three days before White's release that the 37-year-old former San Francisco supervisor would be paroled in Los Angeles.

The chief said he simply forgot that it just didn't register. Wachs said yesterday, "I don't believe in it. I don't believe it for a second. That's why I'm calling on the Los Angeles Police Commission to launch a full-scale investigation on the release of Dan White."

Wachs called White a "cold-blooded killer" who should still be in prison for the 1978 slayings of Mayor George Moscone and Supervisor Harvey Milk. White served five years of a seven years and eight months sentence for voluntary manslaughter.

From the start, the Department of Corrections realized that no city really wanted White, a killer who had become a man without a home.

"Any place we put him would generate protests," said Guthrie. "We lose no matter what decision we make."

But Wachs, who was grand marshal in the city's Gay Pride Parade last year, said, "He certainly should never have been released into an urban setting which is in so many ways similar to the one which gave rise to his problems in the first place. I don't feel comfortable with him here."

"What did we do to deserve this?" asked Supervisor Pete Schabarum in a statement, while Supervisor Dean Pata declared, "We in Los Angeles County can only pray that the burden of his presence does not create a needless safety burden for himself or the public."

Guthrie said, however, "There's no ideal place to put a guy in a case of this notoriety." He explained that Los Angeles was chosen in part because of its size and diversity.

Supervisor Ed Edelman suggested that White should have been sent out of state — an option rejected by parole officials — but City Councilman Zev Yaroslavy suggested that the worst punishment for White would be living in a state of constant fear for his life.

"He's not a free man. He'll be a prisoner the rest of his life," Yaroslavy said. "I don't wish him well. I don't think anyone's going to wel-

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come him into the city.

The problem of where to put White was discussed by top correctional officials, including parole division chief Howard Miller and department director Dan McCarthy, Guthrie said.

With other department officials, they decided that with one exception they would accept the fact that White would be placed where he was not welcome.

The exception was San Francisco where community feeling is still so high that police and parole officials feared White might face physical attack, even assassination.

In choosing Los Angeles, the department was impressed by the possibility that the former police and fire hero might for a time be able to lose himself in the metropolitan area.

Los Angeles also has jobs, housing and a parole staff capable of the extra-close supervision required in a special case like White's.

White's case is indeed special. On Nov. 27, 1978, he assassinated Mayor Moscone, firing three shots before a final coup de grace to the head. Moments later he killed Supervisor Milk, a leader of San Francisco's gay movement, using five shots, the final one another coup de grace.

After a trial the following spring White did his time with the meticulous discipline of an ex-cop, and after five years and a month he was ready under California's automatic sentencing laws to enter the half-free world of the parolee.

When he arrived at the Los Angeles parole office at 8 a.m. Friday, reportedly looking healthy and pleased to be free, he learned that he should expect to report to his parole officer every 48 to 72 hours.

He was told he could not go to San Francisco, as he wished, and that he could not leave Los Angeles County without permission.

But he also was allowed an immediate phone call to his family to let them know that he at last was free. Then, wearing a neat suit and tie he had purchased himself, disdaining prison hand-me-downs, with \$200 in state-furnished "gate money" in his pocket, White began going over his parole plan.

The initial employment and residence were scrapped, said Lundsberg of the Los Angeles regional

office. "We felt he ought to have some say about what he does for a living, and if he can afford a little better place to live, he should be allowed to have it."

Lundsberg said White did not appear to be worried about money, and was prepared to rent a car if necessary. He said White indicated he would be staying with his wife, which is a positive thing as far as we are concerned.

He said the state parole office would have no trouble helping White secure a job. He could even take vocational training, or go to college. That whole issue is wide open. We can go in many directions when Mr.

White sets the course," he said. "There are an estimated 6,000 paroled prisoners in the greater Los Angeles area. It was explained to White that his parole officer would keep in close touch with him at first, possibly even making unannounced visits."

Lundsberg said White was aware of threats to his life. "He expressed considerable concern that his identity and location be kept confidential."

But Guthrie pointed out, "Our capability in terms of any kind of protection is very limited once a guy's a parolee. Except for basic protection, the guys on his own. Usually, we have some kind of contact every day at first, and then we taper off later."

The interview took several hours, and White was told his parole interviews would continue tomorrow. And then the convicted killer, a little tired from the strenuous media hide-and-seek game he had been playing since the previous afternoon, walked out the parole office door to begin to fend for himself.

White left Soledad at 4:30 p.m. when the shift changed at the flat functional facility with an inmate population of 5,500. The parking lot was busy as two officers, with White lying flat in the rear of the state car, rolled out onto Highway 101.

Department officials planning the release already had selected the California Correctional Institution at Tehachapi for White's final night in custody. Out of the way of the relentless media packs closer to Los Angeles where he would be released, it took less than three hours to drive to Tehachapi.

At Tehachapi, White was placed in a separate cell, away from the general

population. A new facility is being built there, but the cell where White was housed is in a 15-year-old concrete block building. He left before dawn on a final drive to freedom.

Back at Soledad, White had been something of an enigma, a tense man who kept to himself, fearful of becoming involved in anything that might keep him from being reunited at the earliest possible date with his family.

His goal now is to serve out his year of parole in anonymity, avoiding any conflicts that could send him back to prison for the remaining two years, six months of his sentence.

After that, he would be free to carry out a plan that he submitted to prison officials two months ago but that was firmly rejected.

Dan White wants to come home to San Francisco.

(Mount Clipping in Space Below)

Dan White protest gathers 9,000 on Castro Street

An estimated 9,000 people gathered in the heart of San Francisco's gay district to mark the parole of Dan White — the convicted killer of Mayor George Moscone and Harvey Milk, the City's first avowed homosexual supervisor.

White was paroled from Soledad prison yesterday and set out on a new life in Los Angeles.

His relatively light prison term sparked riots five years ago and has been a source of anger in San Francisco's gay community. But last night the mood was subdued.

"The mood is not that different from what it is normally when we come together in the streets," said Supervisor Harry Britt, a gay who often acts as a spokesman for the homosexual community.

"We had one outbreak of violence in May of '79," Britt said, referring to the so-called White Night riots which followed a jury's verdict finding White guilty of voluntary manslaughter in the Nov. 27, 1978, City Hall shootings of Moscone and Milk. The voluntary manslaughter conviction, which carries a less severe penalty than murder, meant that White would only serve five years in prison.

A murder conviction could carry a life term or could call for the death penalty.

White, a former policeman and fireman, had resigned from the Board of Supervisors, then changed his mind and wanted his post back. The shootings came on the day that Moscone was to announce that White would not be reappointed to the board.

The riots following the jury verdict led to an angry mob storming City Hall, breaking windows and burning police cars.

Police Sgt. Jim Hughes put last night's crowd at 9,000. Police barricaded Castro Street in the block just south of Market. A number of speakers addressed the crowd, finally giving way to a rock band.

A man sold "He got away with murder" buttons for \$1.

A flatbed truck which served as a stage for the music and the speakers was decorated with an effigy of White — clad in a black and white convict's uniform and flanked by signs saying "He got away with murder" and "If you're White, it's not called murder."

As the rally was ending last night, a small scuffle involving about 20 people broke out when a man shouted anti-American slogans and tried to burn an American flag. Police and civilian monitors quieted the disturbance.

White was released yesterday under secrecy after serving five years and 41 days in prison. The Department of Corrections said the 37-year-old White was released at an undisclosed location in Los Angeles County, where he will live in a rented apartment.

His wife and two children have not joined him yet.

State prison officials — who described White as a model prisoner with a clean record — said White has a job in the private sector and will begin work Monday.

Los Angeles Mayor Tom Bradley, who was taken by surprise with the announcement of White's whereabouts, reacted angrily — saying he had not been consulted.

"I raised strong objections to Dan White's release in the city of Los Angeles in my conversations with Mayor Bradley," said, referring to state Department of Corrections Deputy Director Howard Miller. "I have today sent a letter to Daniel McCarthy, director of corrections, to reinforce my objections."

Bradley was not told of the move even though police Chief Daryl Gates had been told. Gates' office said the mayor was not informed because of an oversight. The terms of White's one-year parole forbid him from returning to San Francisco.

Before last night's rally on Castro Street, about 4,000 demonstrators gathered in downtown San Francisco. One group sat down in the street at Market and Castro streets, halting westbound afternoon traffic for half an hour. A larger group gathered in Union Square at noon and marched to the Financial District. One marcher, Frank C. Chamberlain, III, 27, was arrested for battery and disturbing the peace after hitting a man who tried to cross through the marching line.

(Indicate page, name of newspaper, city and state.)

Date: 1-7-84
Edition: Final XX Home
A6 S.F. Examiner
San Francisco, Ca.

Title:

Character:

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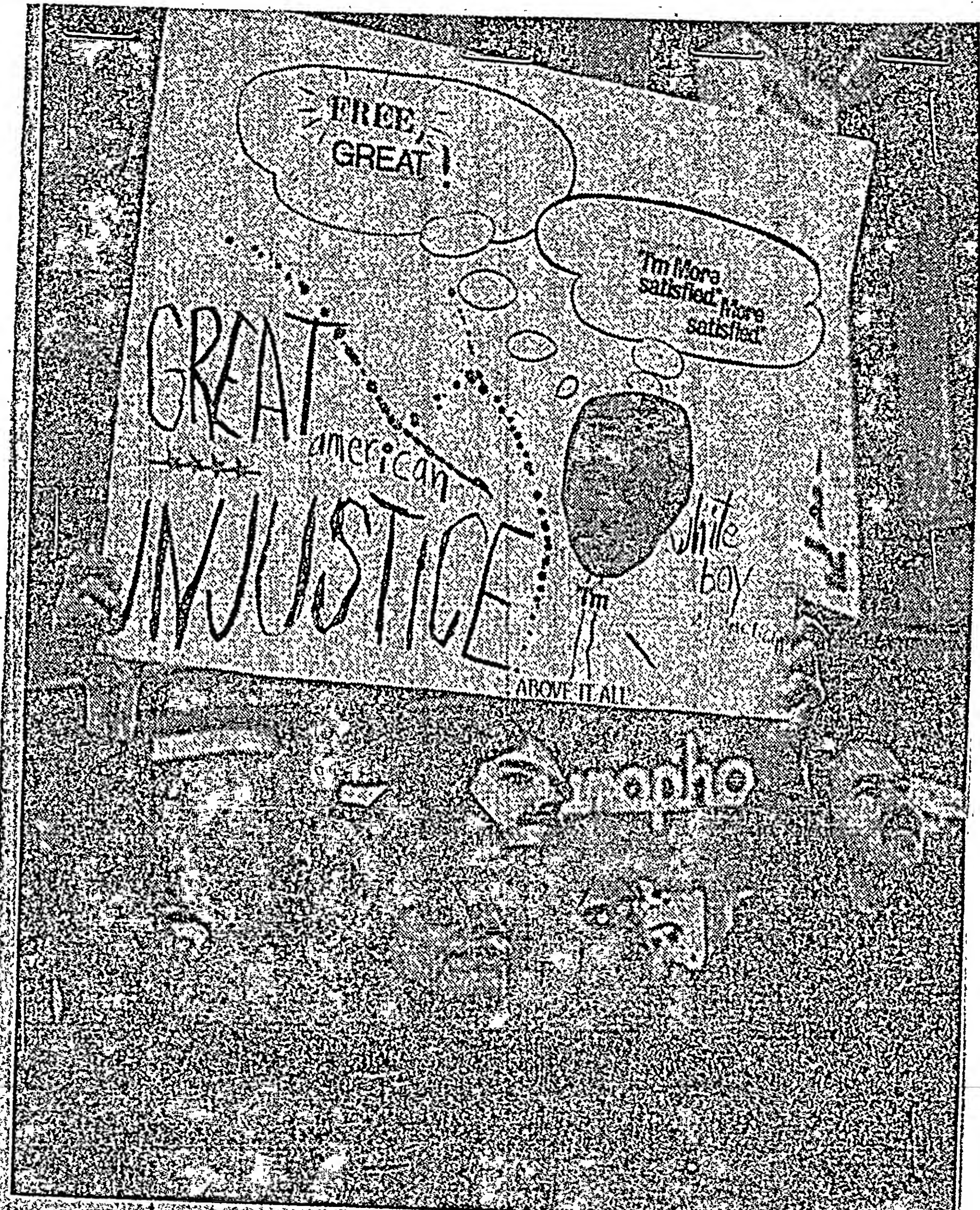
Classification:

Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 9 - 1984	
FBI - SAN FRANCISCO	

44C-2178-43



A protester states her views on the release of Dan White during last night's rally at Castro and Market

Examiner/Craig Lee

(Mount Clipping in Space Below)

Thousands protest release of White

More than 5,000 rally peacefully on Castro Street against killer's freedom

The Tribune

San Francisco gays took to the streets Friday to protest the short prison sentence of assassin Dan White, who earlier in the day was secretly freed in Los Angeles, raising protests there.

A crowd estimated by police at more than 5,000 staged a peaceful, nighttime rally in a barricaded block of Castro Street, the center of San Francisco's homosexual district, chanting and holding placards reading "He Got Away With Murder."

Earlier, they trekked through downtown from Union Square and speakers predicted that eventually White would be killed.

Bradley protests

In Los Angeles, where White will attempt to live in anonymity in a rented apartment and find work in private industry, Mayor Tom Bradley said he had strongly objected to the state Department of Corrections to White's release in his city.

"I had not been notified in any way," Bradley said, "that Los Angeles was being contemplated as the site for White's parole."

White, 37, will be on parole for one year following his voluntary manslaughter prison term of five years and 41 days for gunning down Mayor George Moscone and Supervisor Harvey Milk, a homosexual, at City Hall Nov. 27, 1978.

He was sentenced to seven years and eight months, but got nearly three years off for being a model prisoner.

In tight secrecy and security, White was slipped through a vigil of news media and protesters at the Soledad Correctional Institution near Salinas Thursday afternoon, eight hours before his scheduled release, then whisked in an un-

marked state car to the state prison at Tehachapi.

Media holds vigil

Crews from four national networks, "Time" and "Newsweek," wire services, most major California newspapers and six TV crews waited under the cold, starry sky outside the prison gates into the early morning to catch a glimpse of San Francisco's most notorious killer.

But White had been long gone. Bent low in the back seat of a state police car, he was taken from the prison at 4:30 p.m. during the regular change of the guards when there is heavier auto traffic through the prison gates.

He was driven from Tehachapi to a Los Angeles County parole office where he was surreptitiously freed at 8 a.m. with his \$200 state allotment as a released prisoner.

No members of his family, his wife, Mary Ann, a school teacher at Treasure Island, his two children, nor any friends were there to greet him under a carefully planned strategem to cloak his whereabouts.

Death threats

Authorities fear for his safety following death threats from among the gay communities incensed not only at the killing of San Francisco's first openly avowed homosexual county su-

pervisor, but at the manslaughter conviction and five-year prison term.

While at Soledad, the 37-year-old White, a former San Francisco police officer and a supervisor with the clean-cut, All-American boy image, had an adjoining cell and reportedly became friends with another notorious assassin, Sirhan Sirhan, who killed Robert Kennedy in 1968.

(Indicate page, name of newspaper, city and state.)

Date: 1-7-84
Edition: Sat.
1 The Tribune
Oakland, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED <i>gll</i>	INDEXED <i>gll</i>
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FEB 9 - 1984	
FBI - SAN FRANCISCO	

44C-2178-84

Although White had read news accounts about himself, he has steadfastly refused to talk about the City Hall killings that were triggered after he resigned as a supervisor, then changed his mind and appealed in vain to Mayor Moscone and Milk to reappoint him.

Phil Guthrie, a state Department of Corrections spokesman, declined to reveal any details of White's relocation, citing fears for White's safety.

"It is not a government job, but in private industry, and it doesn't involve direct contact with the public," Guthrie said.

Life may get tough.

Although authorities said White didn't have any problems while in prison, his life outside may be tainted by lasting public resentment, especially among gays, for whom Milk was a leader.

Guthrie said special arrangements in White's "very unusual case" were needed because many people still believe that a voluntary manslaughter verdict in a case that cost the lives of two public officials was a miscarriage of justice and that his short time served in prison was not enough.

That was the precise thinking of the San Francisco demonstrators who snarled downtown traffic Friday and brought staring office workers to the windows.

"Sister Boom-Boom" who gained national attention after he announced his candidacy for mayor, was applauded when his voice deliberate with double meaning — he called for forgiveness for "even the most horrible, vicious, disgusting crime."

"Somebody is going to kill Dan White and when it happens



An estimated 5,000 people, many from the gay community, showed up at nighttime rally.

I will be back here to beg you for love and compassion."

Later, during the night rally in front of an effigy of White in prison garb and wearing a policeman's hat, "Sister Boom-Boom" waved a package of Twinkies, the symbol of White's successful diminished-capacity defense. He was rendered incapable, his attorney's contended, because of a junk food diet including Hostess Twinkies.

One speaker, William Reidy, 27, said, "I think he eventually will be killed. I think it could

very well be a gay person who does it, and I wonder then if he will get out in five years."

Jack Fertig, an activist, said "yesterday was the last day Dan White could spend knowing he could live through that day. Today, Dan White starts a life sentence, and I'm sorry to say it won't be a very long one."

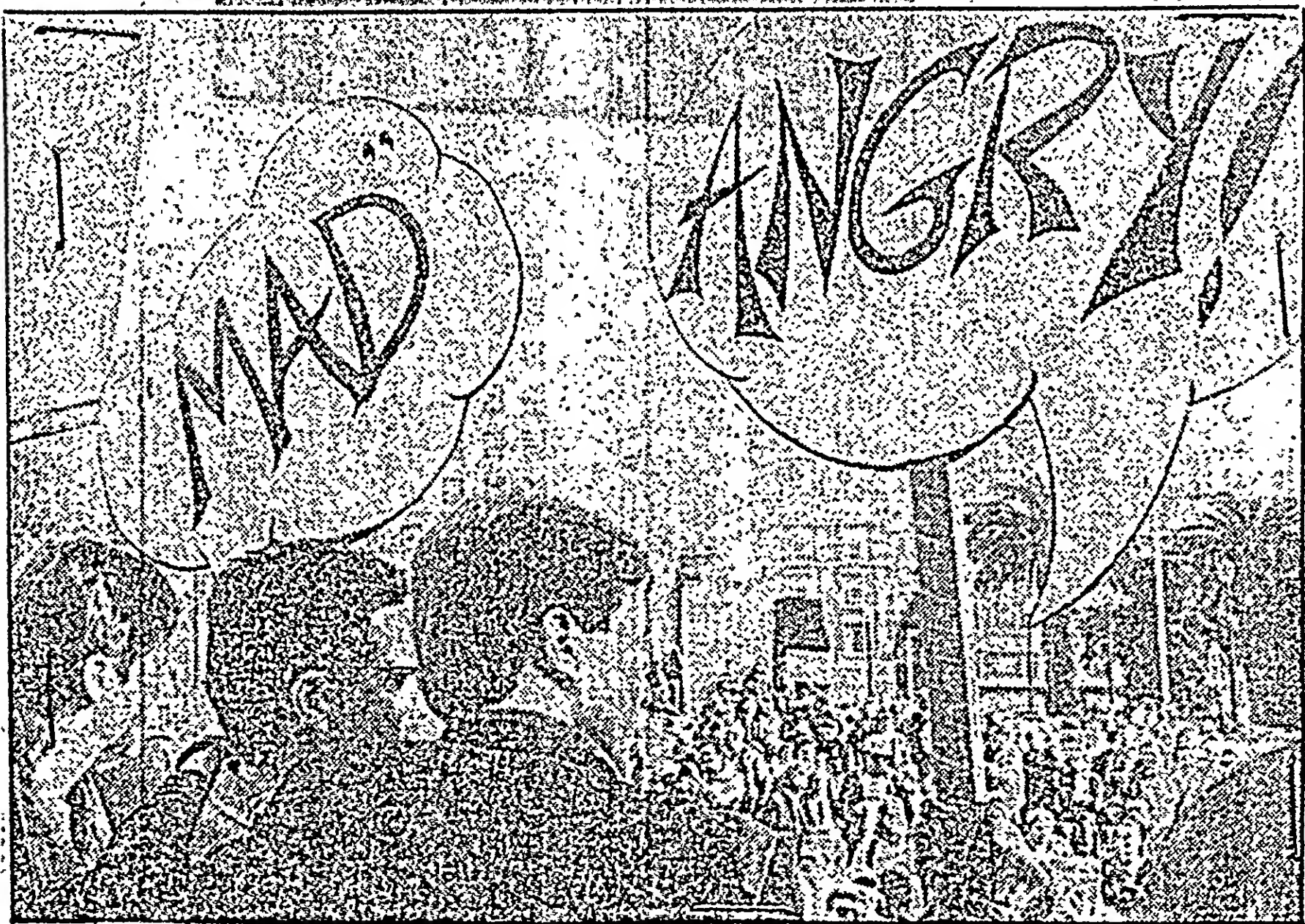
That kind of talk, that mood, plus actual threats of death from gays in San Diego, considered once as a site for White's relocation, were what spurred state prison officials' extreme

precautions against revealing where he will try to pick up a new life.

Guthrie said White had asked to come back to San Francisco, but that was quickly rejected because of the temper of the city and community protests, including those of Mayor Dianne Feinstein.

White reportedly had also asked to go to Ireland and become a farmer there. He will be free to do so once his parole expires next January. Written by Don DeMain, reported by David Alcott, Bethany Keavin and Raul Ramirez.

By Bill Knowland/The Tribune



Sign-carrying protesters express their feelings loud and clear at rally in San Francisco. By Bill Crockett/The Tribune

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: 1-13-84
Edition: Morning
A-6 The Tribune
Oakland, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

Lawyer withdraws reward he made to find Dan White

The Associated Press

LOS ANGELES — As a gay organization prepared protests Thursday against assassin Dan White's parole in Los Angeles, an attorney backed off on a \$10,000 reward he had offered for information on White's whereabouts.

The Dan White Out of LA Committee, formed by the Gay and Lesbian Community Center, planned demonstrations in the streets Thursday night in Hollywood and Saturday at City Hall, said Lillene Fifield, co-chairwoman of the committee.

Meanwhile, attorney Jeff Walsworth said Thursday that a \$10,000 reward for information leading to White's location will be withheld until the legality of the offer is confirmed.

Walsworth, who says he represents a group of six conservative Orange County business

men, also announced the filing of a suit Thursday that claims state officials are obliged to inform citizens if a paroled felon lives nearby.

White served a five-year prison term for voluntary manslaughter in the November 1978 shooting deaths of San Francisco Mayor George Moscone and Supervisor Harvey Milk.

Walsworth said the six businessmen, who call themselves the Citizen's Protection Agency, "are not gay, and consider themselves right-wing conservatives." He said the \$10,000 reward had been donated by one person.

At a news conference Thursday in Santa Ana, Walsworth said the reward "is not a bounty. We just feel that neighbors and co-workers in the zone of danger should know if White or someone like White is in their midst."

SEARCHED <i>yes</i>	INDEXED <i>yes</i>
SERIALIZED <i>yes</i>	FILED <i>yes</i>
FEB 15 1984	
FBI — SAN FRANCISCO	

44C-2178-85

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Date: 1-13-84
 Edition: 5 Star
 3 S.F. Chronicle
 San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

A March Against Dan White in Los Angeles

Los Angeles

Chanting "Dan White out of LA," about 150 people marched through Hollywood last night to protest his parole.

The demonstration was sponsored by a gay community center.

The marchers rallied on Sunset Boulevard and walked to the Hollywood police station to show community support for the removal of Dan White from Los Angeles County, said Lillene Fifield, chairwoman of the Dan White Out of LA Committee of the Gay and Lesbian

Community Center.

The march, which lasted about one hour, was peaceful, orderly and there were no arrests.

The organization also plans a demonstration Saturday at City Hall, Fifield said.

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 15 1984	
FBI — SAN FRANCISCO	

44C-2178-86

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Date: 1-12-84
 Edition: Final
 B6 S.F. Examiner
 San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

\$10,000 pledged for White's location

Special to The Examiner

LOS ANGELES — A group of conservative Orange County businessmen is offering a \$10,000 reward for information concerning the whereabouts of convicted assassin Dan White.

A spokesman for the businessmen said today they wished to remain anonymous and are calling themselves the "Citizens Protection Association." They hired Santa Ana attorney Jeffrey Walsworth to represent them.

Walsworth said he plans to file a

lawsuit today against the State Department of Corrections to try to force it to disclose the former San Francisco supervisor's current whereabouts.

Walsworth said the suit will be based on "a citizen's right to know."

"Every citizen has the right to know who is living and working in their proximity if that person creates a potential harm," Walsworth told City News Service.

"I want to stress that these men are not gay, and consider themselves right-wing conservatives," he said.

White's release from prison, to which he had been sentenced for killing San Francisco Mayor George Moscone and Supervisor Harvey Milk in 1979, was cloaked in secrecy last Friday, but state officials finally disclosed that he is living within the Los Angeles city limits, along with 3 million other people.

The Los Angeles County Board of Supervisors, the City Council, the Police Commission and Mayor Tom Bradley all joined this week in an unusual united effort to force the state to relocate White.

One ad-hoc group calling itself the "Dan White Out Of L.A. Committee" has announced a protest parade to night through a predominantly gay area of Hollywood.

Phil Guthrie of the state Department of Corrections stated earlier that there currently are no plans to move White out of Los Angeles, but he added, "the demands of Los Angeles will be given all due consideration."

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FEB 15 1984	
FBI — SAN FRANCISCO	

44C-2178-87

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Another state may accept Dan White

LOS ANGELES (AP) — Paroled killer Dan White may be moved from Los Angeles to another state where he has "family ties" if a job becomes available there, according to a private memo given the county Board of Supervisors.

The three-page memo was prepared by County Counsel DeWitt Clinton and sent to the supervisors Tuesday, the Los Angeles Herald Examiner said today.

The memo outlined earlier efforts by state corrections authorities to parole White to the unnamed state instead of sending him to Los Angeles.

"Apparently Mr. White has family members residing out of California," it says, "and did not object to his being transferred to (the unnamed) state."

Clinton quoted Irv Marks, director of the state Corrections Department's Interstate Compact Division, as saying that the lack of a job was all that had prevented White from going to another state initially.

"After conducting an investigation into Dan White's future," Clinton said, "the receiving state concluded that Mr. White could not be employed until late spring, 1984, and they refused to accept him as a parolee for that reason."

A state has the right to reject any parolee being considered for transfer, said Clinton, who was asked by the supervisors to look into the reasons for White's parole here.

Clinton said Marks would not reveal the identity of the state under consideration.

White was released from prison this month after serving five years for killing San Francisco Mayor George Moscone and San Francisco Supervisor Harvey Milk. He is living in an undisclosed location in Los Angeles County.

Both the Los Angeles City Council and the county supervisors last week officially asked the state to remove White from the area.

White's transfer out of California could be done under the nationwide Uniform Act (Compact) for Out-of-State Parolee Supervision.

Under that law, there are currently 907 California parolees living in other states and 1,568 parolees from other states living here, Clinton noted.

Howard Miller, deputy director of the state Parole Division, would say only that there were no present plans to remove White from the Los Angeles area.

Miller said he does intend to respond to the complaints from city and county officials within a few days.

(Indicate page, name of newspaper, city and state.)

Date: 1-20-84

Edition: Final

A2 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 21 1984	
FBI - SAN FRANCISCO	

44C-2178-88

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: 1-18-84
 Edition: 6 Star
 3 S.F. Chronicle
 San Francisco, Ca.

Title:

Character:

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Classification:

Submitting Office: SF

Indexing:

L.A. Officials Dan White Plea

Sacramento

Los Angeles City Councilman Joel Wachs asked the state Department of Corrections yesterday to move paroled assassin Dan White out of Los Angeles.

Department of Corrections press aide Phil Guthrie said there was no present plan to change White's residence. Parole officials have said only that White is in Los Angeles County and will not say where. Wachs emerged tight-lipped from a one-hour meeting with Howard Miller, deputy director of the department and head of its parole division.

"I promised the media in Los Angeles a statement when I got back," Wachs said. "I can't answer any questions. We had a one-hour meeting and I made the case for the city of Los Angeles. He listened very attentively."

The councilman, who represents the San Fernando Valley and Hollywood Hills region, said "yes" when asked if his journey to Sacramento was worth the trouble.

Wachs, an active gay rights advocate, said he came as the official representative of the Los Angeles City Council, which last week adopted a resolution by a 12-to-1 vote asking the Department of Corrections to reverse its decision.

White, 37, was convicted of manslaughter in the 1978 killings of San Francisco Mayor George Moscone and Supervisor Harvey Milk, the city's first openly gay supervisor. White was paroled in Los Angeles County January after serving five years in prison.

Our Correspondent

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FEB 17 1984	
FBI - SAN FRANCISCO	

44C-2178-89

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: 1-15-84
 Edition: 4 Star
 S.F. Sunday Examiner
 Pg. B2
 Title: San Francisco, Ca.

Character:
 or
 Classification:
 Submitting Office: SF

Indexing:

250 in L.A. protest Dan White

By Leslie Guevarra
 Examiner staff writer

LOS ANGELES — Calling for the custer of parolee Dan White, an estimated 250 people rallied at City Hall yesterday in a demonstration that capped a week of protest against the release of the convicted killer here.

"First and foremost we want Dan White out of this community," said Lillene Fifield, co-chairwoman of the Dan White Out of L.A. Committee, the group that staged the rally.

Fifield and other organizers said they were disappointed at the small turnout but pleased that those who attended represented a "wide spectrum of the community" as well as gay and lesbian groups.

A school trustee and a representative of Sen. David Roberti, D-Hollywood, spoke to the protesters as did representatives of minority, lesbian, gay and feminist groups.

A couple of families with children in tow mingled with sign-toting spectators. Most of them steered clear of a man in a leather executioner's mask who brought the head of pig on a silver platter to the rally.

The masquerading executioner, Martin Maharis, said he brought the grisly display because he thought there would be a protest march and felt the pig's head was more illustrative of protest than a sign.

"I think this pretty much speaks for itself," Maharis said. "Something should be done about White. I don't think he should be killed. But let him live with the governor in Sacramento or in San Clemente for year, not here."

The theme of non-violent protest was emphasized by rally speakers, especially Fifield, who said she received an anonymous call from a man identifying himself as a former policeman and offering to tell her White's whereabouts.

"The Dan White Out of L.A. Committee is not interested in the whereabouts of Dan White other than his removal," she said. "We are not a vigilante committee. We are not head hunters."

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FEB 16 1984	
FBI — SAN FRANCISCO	

44C-2178-90.

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(Indicate page, name of newspaper, city and state.)

Date: 1-13-84
Edition: Final
A2 S.F. Examiner
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

The group offering \$10,000 to find White

Special to The Examiner

SANTA ANA — Dr. Daniel D. C. Sigler, an Orange County chiropractor who describes himself as a "conservative right-wing businessman," vows to protect his family and friends from felons like Dan White, who Sigler says may be in their midst.

Ronald C. Strunk, a contractor, believes White's case shows there is "too much liberalism in the state." Although prison officials say White has been paroled in Los Angeles County, Strunk also believes White may be in Orange County. He thinks citizens ought to act against the "potential danger" the state created by releasing White.

The two men and four friends who hold the same sentiments incorporated this week as the Citizens Protection Association, which is offering a \$10,000 reward to the person who tells them where White is.

They want to tell people in White's immediate surroundings of his presence. In case the reward fails to produce results, the group has filed suit against the state and the state Department of Corrections seeking to force disclosure of White's whereabouts.

"We feel the rights of innocent neighbors and co-workers outweigh

Dan White's," the 30-year-old Sigler said.

Corrections department spokesman Phil Guthrie said the group is "dead wrong" in its theory that White is in Orange County. The department has said only that White will serve the one-year term of his parole in Los Angeles County.

During a press conference yesterday Sigler, Strunk and attorney Jeffrey Walsworth explained the purpose of the organization.

"All we seek is to give citizens the opportunity to make a knowledgeable decision whether to stay there or move on (once they learn of White's whereabouts)," Walsworth said. "We intend to keep the information strictly confidential except to the people working or living with him in the same neighborhood."

"This is not a bounty and we are not a vigilante committee."

The group has hired a private investigator who is trying to find leads on White's whereabouts.

White, 37, was released on parole last Friday after serving five years of a seven-year, eight-month sentence for the voluntary manslaughter of San Francisco Mayor George Moscone and The City's first openly gay supervisor, Harvey Milk, in 1978.

His release in the Los Angeles area created a furor. The Los Angeles County supervisors, City Council, Police Commission, Mayor Tom Bradley, police Chief Daryl Gates and gay community leaders have called for White's ouster.

But none of those groups called on authorities to pinpoint White's location, and the Citizens Protection Association has become the target of criticism for making that demand.

Chief Deputy Attorney General Nelson Kempsey called the group "grotesque." He said that the corrections department is entitled to withhold information about White under privacy laws and that Walsworth's group may be guilty of invading White's privacy.

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44C-2178-91

Prominent Southern California gay activist Morris Kight, at a protest march in Hollywood last night that included an estimated 500 demonstrators at its peak, said the businessmen are promoting "lynch-mob psychology and a witch hunt."

"I'm just horrified," Kight said.

In San Francisco, Paul Lorch, editor of the weekly gay newspaper Bay Area Reporter, said, "I'm overwhelmed to think that someone would go to all the trouble of offering that much money."

"I think that information will surface naturally, automatically. Eventually someone will alert the public and say, 'Hey, this guy is living in my apartment building.' I can't imagine why a right-wing conservative group would do this."

Lorch advocates disclosing White's whereabouts and has said he would print White's address if he had it, because "the enormity of his crime outstrips his right to privacy." Lorch, however, does not advocate hunting White down.

According to Walsworth, the \$10,000 will be available to anyone who discloses the whereabouts of any ex-felon in the area who has been convicted of crimes involving great bodily harm, such as sexual assault or homicide.

Walsworth said his group received calls from 120 people who want to join and pledge money to the cause. It also, he said, received one telephoned death threat, and for reasons of safety the name of the person who put up the \$10,000 reward will not be released.

Kempsky called White's crime "an abomination" and said, "(White) will probably be an outcast for the rest of his life. But he served his time and it's time for us to put that behind us."



Associated Press

Walsworth, left, and Ronald Strunk of Santa Ana announce formation of a group that wants to find Dan White

(Mount Clipping in Space Below)

L.A. County Protest

State Rejects Plea To Transfer White

After listening to protests from Los Angeles County officials for almost three weeks, the state Department of Corrections said yesterday it does not intend to move Dan White from the county.

In a letter to the Los Angeles city clerk, department Director Dan McCarthy said his obligation "is to place him (White) in a location where he has the best possible opportunity to successfully and safely complete his parole."

In the letter, which was dated January 23 and made public yesterday, McCarthy said White's Los Angeles parole program fits that requirement so "we do not anticipate making any change in Mr. White's parole location."

White was paroled January 6 after serving more than five years for the slayings of San Francisco Mayor George Moscone and Supervisor Harvey Milk. State officials have said repeatedly that they selected Los Angeles County as his one-year parole site primarily because of its sprawling size.

But the choice has been protested strongly by Mayor Tom Bradley, Councilman Joel Wachs, other politicians and numerous gay organizations. Many critics argued the decision was wrong because Milk was gay and Los Angeles has one of the country's largest gay populations.

Yesterday, Bradley and Wachs expressed disappointment at McCarthy's response. Bradley said Governor Deukmejian "is the only person who can change that decision and I understand he has indicated he will not."

Wachs, who wrote a resolution endorsed unanimously by the council that calls for White to leave the area, told a news conference: "To Dan White, wherever he is, I would also plead that he at least say he's sorry."

In recent weeks, state parole officials have refused to release any details about White's life — including the area of the 4000-square-mile county in which he is living or whether he has a job.

(Indicate page, name of newspaper, city and state.)

Date: 1-27-84
Edition: 6 Star
2 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 27 1984	
FBI - SAN FRANCISCO	

44C-2178-92

(Mount Clipping in Space Below)

Dan White to stay in L.A. area

LOS ANGELES (UPI) — Despite strong objections by local officials, state officials will not force paroled slayer Dan White to leave Los Angeles County.

The killer of San Francisco Mayor George Moscone and Supervisor Harvey Milk was paroled earlier this month after serving a five-year prison term for the 1978 slayings.

"Our obligation is to place him in a location where he has the best possible opportunity to successfully complete his parole," Department of Corrections Director Daniel McCarthy wrote in a Jan. 23 letter to the city clerk.

"Therefore, we do not anticipate making any change in Mr. White's parole location."

Mayor Tom Bradley and Councilman Joel Wachs, who led an effort to expel White from the area, were disappointed with the decision. McCarthy said he wrote the letter in response to Wachs's resolution, which was unanimously approved by the council.

"To Dan White, wherever he is, I would also plead that he at least say he's sorry," Wachs said at a press conference yesterday.

Wachs said he was alarmed about recent incidents concerning White, including a \$10,000 reward offered by a group of Orange County businessmen for information on White's whereabouts and a threatening letter sent to a man named Arthur Daniel White in Ontario.

(Indicate page, name of newspaper, city and state.)

Date: 1-27-84

Edition: Final

B4 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED <i>44</i>	INDEXED <i>44</i>
SERIALIZED <i>44</i>	FILED <i>44</i>
FEB 27 1984	
FBI - SAN FRANCISCO	

44C-2178-93

FBI/DOJ

(Mount Clipping in Space Below)

Date: 1-29-84
Edition: Final
S.F. Sunday Chronicle
Pg. 1, Review
San Francisco, Ca.
Title:

Character:
or
Classification:
Submitting Office: SF

THE DAN WHITE ENIGMA

DOUBLE PLAY: The San Francisco City Hall Killings

REVIEWED BY PATRICIA HOLT

As weary as anyone in the Bay Area may be of Dan White and the 1978 murders of Mayor George Moscone and Supervisor Harvey Milk, chances are none of us will ever get over it. Every time a new book comes out, a new TV documentary is made or something new breaks in the newspapers, we hope against hope again

that someone or something may finally make sense of what is perhaps the most bizarre and painful episode in San Francisco's history.

In the first book published on the murders, "The Mayor of Castro Street" (1982), Chronicle reporter Randy Shilts focused on Harvey Milk's extraordinary rise to power as the first elected gay official in the country, using as a backdrop the spread of gay rights movements across the United States.

Now in "Double Play," Rolling Stone correspondent Mike Weiss attempts to use the history of San Francisco as his backdrop to the sagas of the central players in this tragedy — Milk, Moscone, White — and the similarly tragic yet sometimes hilarious and wacky events that led up to the murders.

In these pages we must somehow absorb it all: the Jonestown murders looming in the distance, Dan and Mary Ann White immersed in suds and spuds

SEARCHED	INDEXED
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FEB 29 1984	
FBI - SAN FRANCISCO	

FBI/DOJ

44C-2178 94

at their Hot Potato stand on Pier 39, Harvey Milk battling the anti-gay Briggs amendment. Heartily as he promoted his own pooper-scooper legislation, District Attorney Joe Freitas "crackdown" on North Beach juxtaposed with Police Chief Gain's politically disastrous appearance at the Hooker's Ball, Supervisor Kopp cavorting with Moscone at an annual Mayor vs. Supervisor softball game while White embarrassed everyone with his fanatic athleticism; police detective Frank Falzon, called to the stand by the prosecution at White's trial, turning into the best defense witness any courtroom has ever seen; White, the opponent of "social deviates," announcing that because a gay soldier saved his life in Vietnam, he (White) couldn't possibly be anti-gay.

Weiss puts it all into manageable — sometimes manipulated — perspective in "Double Play," and his premise is a good one: Dan White, he contends, did not emerge out of nowhere. He was created, as were Milk and Moscone, out of historical forces that can be traced to the "entrenched Irish machine" which had dominated city politics for years and was finally dislodged by the likes of state assemblyman Philip Burton, mentor of the up-and-coming assembly candidate George Moscone and his law school pals, John Burton and Willie Brown.

As our great port city gave up its independence to the "new" tourist industry, and as Manhattanization of downtown San Francisco drained power from outlying neighborhoods, Weiss says, "a nascent coalition of poor blacks, neighborhood associations and special interest groups rose up to spawn a movement for district elections that would pull such disparate political hustlers as Milk and White into the power enclave finally captured by Moscone, whose administrative savvy from Sacramento would bring the 'new' San Francisco into its own."

Weiss weaves the many strands of this thickly braided story well, but he is guilty of skimming across the surface of history and often succumbs to painfully third-rate overdramatizations of events and people. Of the young Moscone, he writes: "When he turned those Italian eyes on a potential voter he had a quality of attentiveness that was at once the source of his power and a servant of his ambition. Women sensed his coltish sensuality, were fascinated by the little downward pucker at the corner of his mouth." Of White: "His world was a black place, a lightless tunnel through which he was condemned to walk for all eternity." Worst of all, in his attempt to act as a grand translator of history, Weiss describes the influx of gay men to San Francisco in pure stereotype:

"Because most of the (straight) young professionals had come from the East and the Midwest and so felt somewhat uprooted here in the raw and spacious West, they wanted antiques to give their lives a touch of continuity. And because San Francisco did not have the ample lawns, the old oaks, maples and dogwoods, they had known back home, they wanted gardens and

indoor plants. All these desires created still more economic opportunities, opportunities well-suited to the sensibilities and talents of a good number of middle-class homosexuals. Meanwhile, tourism had created jobs for waiters, busboys, desk clerks, sales people, bartenders — jobs toward which less well-educated or less upwardly mobile gay men had often gravitated."

This is unbelievable. The first wave of gays came to San Francisco, Weiss is saying, because there was a need for interior decorators! He also uses the strangest homophobic words to describe Milk and his constituents — as in "oodles of gays," Harvey's "divine" prospects, his being in "such a good mood" or using "whistled s's," which, one supposes, means a lisp.

Perhaps it is fitting, though, that this book is as full of conflict as the case Weiss describes. One couldn't ask for a better detailed or better researched retelling of events, although I am always wary of the kind of "factional" new journalism that quotes few sources yet places the author inside everybody's mind. Here is Weiss on what Dan White was thinking as he

paced back and forth in his den minutes before going downtown to kill Moscone and Milk.

"He ached with loss, the miasma of his self-pity was bottomless, he was sinking and sinking and his helplessness was almost a comfort. He was torn piecemeal by wounded vanity, he felt as if he could never go back to how things had been. He had been honest and independent and it had brought him to this pass, this nauseating, dizzying, perverse sense of freedom. There was nothing left to lose, they had seen to that. It was not God's will, it was George's. And Harvey's, working behind his back, a two-faced faggot snivel."

Well, this is Weiss in over his head. He attempts to defend himself in an Author's Note at the end, stating that because he alone has seen documents and evidence that nobody else did, and talked to almost everyone concerned (not White, of course), he felt that "I would have to work more like an historian than a reporter, interpreting rather than merely recording."

That's fine for Weiss, but where does it leave the reader? What are we to make of the fact that Weiss is critical of White's confession to Falzon, yet he uses it as a primary source. He does not say, when White faces Milk a moment before killing him, "Dan said later he thought he saw Harvey smirk." He says, "Sheepish, frightened by the violence of Dan's outburst, but unable to resist, Harvey smirked. Harvey's sad, plastic comic face, which had served him so well, betrayed his satisfaction at Dan's loss."

Well, maybe, but I don't think it's wise to take anything White said in his confession as the truth. For that matter, to take the statements anyone gave to Weiss and interpret them as fact seems to me to obfuscate the very reason Weiss wrote the book in the first place.

But if we suspend our disbelief in Weiss, an intelli-

gent reporter who has dug through mountains of material to formulate what he believes is an honest retelling of events, we can learn quite a bit here. His portrayal of White's unbelievably rigid code of morality and his enormous naivete as a politician is superbly carved out here, as is the astonishing way White's fellow supervisors (Dianne Feinstein in particular) bailed him out of political and financial scrapes time and time again, only to rope him into a position of dependence and compromise. At the trial, Weiss is most often quite knowledgeable as he interprets the strategies (and the genius) of Douglas Schmidt as effectively as he points out the appalling weaknesses of assistant district attorney Thomas Norman's prosecution.

And we do find a (proposed) answer to one question that has never been answered sufficiently — that of the "secret agreement" that might have been shared between Norman and Schmidt in which they decided not to mention names with regard to specific supervisors and that sort of thing," as Schmidt blurts out at one point in the trial. The question is, since there was so much testimony about White's character, why wasn't testimony introduced as to Moscone or Milk's character? (Supervisor Carol Ruth Silver, in a last-ditch attempt to introduce such testimony, is portrayed by Weiss as making a fool of herself because she forced Norman to call her to the stand, not knowing that by then it was too late.)

The bombshell that is dropped here is something to which Shilts only alludes in his book when he refers to a politician whose sexual preference for black prostitutes got him into a lot of scrapes with the law. This politician, Weiss indicates here, was Moscone himself, whose alleged indebtedness to police officers Rotea Gilford (Weiss misspells it "Guilford") and Wendell Tyree, and indeed to the entire police department for covering up this and other other "peccadillos" (marijuana and cocaine use are also suggested) is described in detail. Because of this, Weiss contends, and because officials throughout the city wanted to keep it quiet, Thomas Norman's hands were tied.

That hardly exonerates Norman from botching an otherwise easy trial, but what is left in the reader's mind is an uneasy questioning of the "facts" in the entire book. Did it all — did any of it — really happen as Weiss portrays it? In the final analysis, sorry to say, we'll never know.

Patricia Holt is Book Editor of The Chronicle.

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State denies Dan White living in L.A. mansion

Mayor Feinstein has received confirmation from the state Department of Corrections that Dan White is not living in a Bel-Air mansion.

In a letter from Corrections Director Daniel McCarthy, the mayor was told that White is not living in the mansion, as reported by an Orange County attorney, but "is residing in the same residence he was released to upon his parole."

McCarthy told Feinstein that the state has not uncovered any evidence that White has received an advance for writing a book, either, which also was reported by the Orange County attorney, who said he had talked to White.

White denies the story reported in the press and indicates that he has not contacted, nor has he been contacted by, any publisher regarding a book about his crime, McCarthy wrote.

White was convicted of the 1978 City Hall murders of Mayor George Moscone and Supervisor Harvey Milk. He served five years in prison and is now on parole in Los Angeles.

McCarthy told Feinstein that the state will continue to investigate rumors that White has received money to write a book. According to a new state law, any money White might earn from a book or film about his crimes would be tied up in a trust account for as long as five years. During that time, survivors of Moscone and Milk could sue White to collect civil damages from him. "If it is established that White has received, or enters into, an agreement to receive, any funds for the publication of a book or article depicting his crime, the matter will be referred to the attorney general's office for resolution," McCarthy wrote.

(Indicate page, name of newspaper, city and state.)

Date: 2-17-84

Edition: Final

B12 S.F. Examiner
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED <i>gu</i>	INDEXED <i>gu</i>
SERIALIZED <i>gu</i>	FILED <i>gu</i>
1 MAR 13 1984	
FBI — SAN FRANCISCO	

44C-2178-95

FBI/DOJ

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(Indicate page, name of newspaper, city and state.)

Date: 2-17-84
Edition: 6 Star
3 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

Lawyer Raps State's Dan White Denial

Los Angeles

The attorney who claimed Dan White was living rent free in a Bel-Air mansion said yesterday that state officials who denied his story are lying, and he added that he has quit the case because of excessive publicity.

Jeffrey Walsworth, an attorney for a group of Orange County businessmen who posted a \$10,000 reward to learn White's whereabouts, said in interviews earlier this week that White was living in a mansion owned by a producer interested in the rights to a book by White, and that White had collected a \$50,000 advance. Prison officials said the claim White was living in a Bel-Air mansion was "totally erroneous."

Daniel J. McCarthy, state corrections director, added in a letter to Mayor Dianne Feinstein that "White denies the story reported in the press and indicates that he has not contacted, nor has he been contacted by any publisher regarding a book about his crime."

Yesterday Walsworth insisted his account was true and said state prison authorities were lying. "It amazes me how dumb people are," Walsworth said. "They have to deny it."

Walsworth said yesterday he quit representing the group because the publicity he generated was taking too much time away from his law practice.

"They weren't paying me to deal with all the news people that were coming around harassing me all day long," Walsworth said.

White served five years in prison for the 1978 City Hall slayings of San Francisco Mayor George Moscone and Supervisor Harvey Milk. On January 6, White was released to Los Angeles County to spend his year on parole there. Authorities refuse to say where he is living.

On Wednesday the state attorney general's office said it is investigating Walsworth's assertion that White had collected a \$50,000 book advance. Assemblyman Art Agnos, D-San Francisco, has said a new law he authored requires that White place such a book advance in a trust for five years, giving the victims' heirs time to sue for damages.

Our Correspondent

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FBI - SAN FRANCISCO	

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State Probes Rumor Of White's Book

By Susan Sward

The state attorney general's office said yesterday it has begun an investigation of a report that Dan White, who is under parole supervision in Los Angeles County, has received a \$50,000 advance to write a book about his life.

Chief Assistant Attorney General Steve White said his office was interviewing parole officials about the alleged payment to the killer of San Francisco Mayor George Moscone and Supervisor Harvey Milk, but "we don't know any of the facts yet."

The sole source of the allegation about White's book advance is Jeffrey Walsworth, an Orange County attorney who said he represents a group of businessmen who recently offered \$10,000 in return for word of White's whereabouts in Los Angeles. The group's stated aim was to alert White's neighbors that he lived nearby.

Walsworth also said in interviews Monday that White was living in a mansion in the wealthy Bel-Air district — an assertion that was flatly denied by the state yesterday.

The attorney said this information was disclosed by White to one of Walsworth's clients after White himself contacted the group and a meeting was arranged.

Howard Miller, deputy state corrections director in charge of parole, said White "is not living in a mansion" and is not residing in Bel-Air. Miller also said he knew nothing about White obtaining "any \$50,000 to write a book."

A new state law, which took effect January 1, is aimed at sharply curtailing the book and movie profits a criminal can make from his crime. The law, prompted by White's case,

requires such profits be placed in a trust for five years while anyone who received at least one-quarter of the victim's estate may file damage claims in the courts.

Citing that law, both Assemblyman Art Agnos, D-San Francisco, the measure's author, and John Wald, attorney for Scott Smith, the former lover of Harvey Milk, said they were going to press Attorney General John Van de Kamp to find whether White had such a book advance, and if so, to make sure the proper trust fund is set up immediately.

Walsworth, an attorney from the city of Orange, did not return repeated calls from The Chronicle yesterday.

In another development in the White case yesterday, Doug Schmidt, White's attorney, issued a statement through a close friend, attorney James Collins, criticizing a recent KRON-TV series of stories that stated that Schmidt was trying to interest publishers in a book about the trial.

According to KRON, the book would include the assertion that police officers searching White's home after the killing failed to discover a diary that could have cast doubt on the defense's portrayal of White's depressed state of mind.

Collins, who would not comment on whether Schmidt is actually working on a book about the trial, also said: "Channel 4 inferred that Mr. Schmidt was going to disclose the current whereabouts of his client, Dan White. That is not true."

Collins described Channel 4's story as "highly distorted and inaccurate. It falsely portrayed both Mr. Schmidt and inspector Frank Faizon of the San Francisco Police De-

(Indicate page, name of newspaper, city and state.)

Date: 2-16-84
Edition: 6 Star
2 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 12 1984	
FBI - SAN FRANCISCO	

44C-2178-97

FBI/DOJ



UPI Telephoto

JEFF WALSWORTH
He said White's in Bel-Air

partment.

Falzon, who was the chief police investigator on the case and a friend of White, said yesterday he and several other officers "did a very thorough search" of White's home following the City Hall killings and found no diary.

"The inference is the good old friend bypassed the diary," Falzon said, referring angrily to KRON's story. "That hurt to insinuate I'd deliberately miss a diary. I don't even know if it exists."

Larry Lee, the producer of the KRON story, stood by the story. "Our quoted information was accurate — both our direct quotes from Schmidt's outline and our summarizations."

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State Says White Isn't in Bel Air

Sacramento

The state attorney general's office said yesterday that it has concluded after an investigation that there are no grounds to reports that Dan White is living in a Bel Air mansion during his year on parole and writing a book about his crimes.

"Dan White is not residing in Bel Air; he is residing in the same residence he was released to upon his parole," Assistant Attorney General William D. Stein said in a letter to Assemblyman Art Agnos, D-San Francisco, who had requested the investigation.

"We have been unable to verify any of the allegations in this story."

Agnos was concerned about the reports that surfaced last month because he was the author of recent legislation that prohibits convicted criminals from profiting from

stories of their crimes, until the crime victims' heirs have had a chance to sue for part of the profits.

Stein said White "was formally advised of the requirements" of the new law.

"If it becomes apparent that White has received, or enters into an agreement to receive, any funds for the publication of a book or article depicting his crime, (the Department of) Corrections will immediately refer the matter to our office."

White was paroled January 6 after serving slightly more than five years in prison for killing San Francisco Mayor George Moscone and Supervisor Harvey Milk in 1978.

The Department of Corrections and the attorney general's office found in their investigation that White has neither contacted, nor been contacted by, any publisher regarding a book about his crimes.

Our Correspondent

(Indicate page, name of newspaper, city and state.)

Date: 3-3-84
Edition: 5 Star
2 S.F. Chronicle
San Francisco, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 21 1984	
FBI - S.F.	

44C-2178-98